# In this book

is contayned the offices of Shiriffes/ Bayliffes of liberties Escheatours/ Constables and Coroners/ and sheweth what euery one of thē may doo by vertue of their offices/ drawen out of bookes of the common Law and of the Statutes

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## The office of Shiriffes.

What the office of a shirif is: heer after shall moze plainly appeer, but in a generalitie, his office is righteously & duely to return all writs & pzecepts to him directed, and truely to execute the same according as he shalbe cõmaunded in ỹ same writs & pzecepts. And that he take nothig of any person foz doing his office, but the due & accustomable fees to him belonging. And that he duely holde and kéep his counties, Courts and turnes, accozding to the due course of the Law. Upon these thzée points dependeth the whole charge and effect of his office.

The office of the Shirife is to return good sufficient and resonable issues, and vpon such persons as haue sufficient goods oz lands, accozding to the statute of Westminster. An. y. capitulo. xxxix. and Edwardi terty. capitulo quinto,

The Shiriffe ought to take the inditements found before him in his turn by Indenture, and so shall Bayliffes of franchises, one parte whereof shall remain with the Inditours. An. secundo Edwardi terty. Capitulo. xvij.

The

The Shiriffe may arreſt men riding or going armed, and commit them to priſon there to remain at the kings pleaſure. y. Ed. iij. capi. v. at Northampton.

Shiriffes and vnder Sheriffes ſhall receiue writtes in euery place within the coũty without taking ought, & ſhall make a bil, which if they refuſe other that be preſent ſhall put to their Seales. And if they return not the ſame writs: they ſhall be puniſhed and ſhall render damages to the party. y. Ed. iij. cap. v. at Northampton.

Shiriffes and Jailours ſhall receiue théeues indited or taken with the maner without taking any thing for the receit. iiij. Edwardi. iij. cap. x.

Shiriffes ſhall leaſſe their hundreds and wapontakes after the olde ferme, and not aboue. An. iiij. Ed. iij. cap. xv. and An xiiij. Ed. iij. cap. viij.

Shiriffs ought to arreſt perſons ſuſpect of felony going by night or by day which be of euil fame. xj. Ed, iij. cap. xiij.

The ſhiriffe in one coũty ſhall haue no mo Bayliffes errant but one. xiiij. Ed. iij. ca. ix

Shiriffes ought to kéep their turnes euery year within a moneth after Eaſter, and within a moneth after Michelmas,

xiij.

Anno xxxj. Edwardi. terty. cap. xiiij.

Shiriffes that leuy iſſues, fines & amercements in the county, ought to haue the extreates enſeled with the ſeale of the Exchequer, ſo that as much as is payed may be blotted. And if any ſhiriffe or miniſter do the contrary, he ſhall render to the party triple damages, and ſhall make fine to the king, & the ſute herof may be alwel before Juſtices of peace as before other Juſtices. xviij. Edward. ter. cap. ix.

The Shiriffes ſhall aray the panels of Aſſiſes foure dayes before the ſeſſions at the leaſt vpon pain of .xx.l. And Baylyffes of libertyes, ſhall make return to Shiriffes ſix dayes before the Seſſions, vpon the ſame pain. xxj. Ed. iij. cap. ix.

The Striffe ought to examin loyterars and vagarants, and compel them to finde ſurety of their good behauiour by ſufficient mainprize of ſuch as be diſtreynable, if any default be found in ſuch vagarants. And if they cannot finde ſuche ſurety: then to commaund thē to the next Jaile, there to remain vntil the comming of the Juſtices of Jailedeliuery, they to do with ſuch vagarants as they ſhall thinck beſt. vj. Richardi. ij. cap. vj.

The Shiriffe shall be bounden foure times in the yeer to make Proclamation of the Statute of Winchester, in euery hundreth of his Bayliwick.

The Shirife ought to take swords, daggers and hangers, from Seruants, labourers, and Seruaunts of crafts men, and vitaylers that were them, vnlesse it be in time of warre or when they labour in the countrey with their maisters or vpō their busines. And the Shiriffe shall kéep the same weapons, which they shall present vnto the Justicers of the peace at their sessions with the names of them that bare them. xij. Ricardi. ij. cap. vj.

Shiriffes ought to receiue Labourers, seruants, beggers & vagabonds, & them detain in prison without baile or mainprise and wout fée, or taking any thing at their entre or going out of prison vpon pain to forfait a C.l. to ỹ King. xj. K. ij. cap. ix.

Shiriffes and other ministers of the king so soon as they haue knowledge of assembles & riots, with outragious number of people, ought with the power of ỹ shire to go and make resistaunce against suche malice with all their strength, and shall attache such misdoers and kéep them in prison

prison vntil the due punishmēt of the law be executed vpon them. And all maner of Lords, and other the Kings true liege men ought to be assistent with all their power and strength to ayd the Shiriffes and other ministers therin. xvij. Richardi secundi. capitulo. viij.

Shirifs ought tobe personally dwelling in their Baylywicks for the time, & they shall not let them to farme. iij. H. iiij. ca. v.

Shirifs ought to see and prouide that neither their vnder Shiriffes, Bayliffes, Clarks, nor receiuers shalbe atturneyes in the Kings Courts for the time of their office i. Henrici. v. cap. iij.

Shiriffes ought to let to mainprise persons indited of heresy and lollards which are in their keeping within x. daies vnder good suretyes, so that they appeer before the end of the said x. dayes. ij. Hen. v. ca. vij Shiriffes shall cause the statute of purueyours to be Proclaimed foure times in the yeer, vpon pain of C. pound for euery time that he faileth so to do. And vpon like pain shall deliuer the same to his successours to be proclaimed. i. Hen. vj. cap. ij.

Shiriffes must make due election of the Knights of the Parlement. ix. H. vj. ca. iij.

Shiriffes muſt return ſuche perſons Knights of the Parlement which be choſen by the greater nũber of the freeholders dwelling in the Countie whiche may expend xl.s. yerly abowe all charges.

And that thoſe Knights be dwelling within the ſame County. And that he examin euery freeholder at ſuch elections vpon a book how much he may expend. And if any Shiriffe return other Knights: hee ſhall forfit an C. ℔. to the King, and ſhall haue one yeres impriſonment without bail or mainpriſe.

Shiriffes vpon a precept made vnto them by Juſtices of the peace to inquire for forſible entre, ſhall return vpon euery of the iurours. xx.s. in fines at ỳ firſt day. And Juſtices of the peace ſhall hear and determine ſuch defaults of Shiriffes by Bil, at the ſute of the party or by inditement. And they ſhall leſe. xx ℔. for euery default. And he that wil ſue ſhall haue the one half. viij. Henrici. vj. cap. ix.

To auoid roberyes and ſpoiles vpon the riuer of Seuerne, ỳ by the coſtes of Foreſtes, of Dean, and the hundreds of Blodeſlom, and Weſtbury in the Countye of Glocester, ỳ Shiriffes of Glocester or the

Bayliffes

Bayliffes of the town of Glocester after notification made to any of them of such iniuryes and damages, by the partyes greued, within foure dayes after such notification made, shall make proclamation at the town of Glocester that such offenders within xv. dayes after such proclamation, shall restore vnto the partyes endomaged their goods so taken or the value with a resonable amends. The said Shiriffs, Bayliffes to forfait xx. poũd if they fail so to do. ir. Henrici sirti. capit. xxviij.

The Shiriffe of Yerforde, neither in his turn or in any other place after the turn ended, shall take any enquiry or inquest of office which ought not tobe taken there. Neither shall he take any fine or mercíamenr for things not appertayning to his office or turn, vpon pain to forfait x. pound. r. Henrici. vj. cap. vij.

Shiriffes ought to returne in attaint in plea land, men of the yeerely valuc of xl.s. or in an Action for dæds concerning lands of suche value, and in Actions of the sum of xl. pound. And moreouer, those persons dwelling with in their Baylywick which may expend xx. pound yeerly aboue all charges for terme of life at the least,

out

out of auncient demene, Gauel kinde and the v. poꝛtes. And at the firſt diſtreſſe xl. s and at the ſecond v. l. and the double value of euery other diſtreſſe againſt the iurours, vpon pain of x. pound. to the King, and as much to the partye. And if there be not ſufficient perſones dwelling within the Countye whiche may expend xx. pound yéerely: then ſhall they impanel other perſons of the moſt ſufficient poſſeſſions of yéerely value of lands & tenements within the value of twenty pound, vpon pain to foꝛfait ten pound to the King, and to the partie as much as the fourme aboꝛe ſaid, decimo quinto Henrici ſexti capitulo quinto.

The Shiriff oꝛ vnder Shꝛike of Herfoꝛd muſt arreſt ſuch perſons of Wales, oꝛ the Marches therof, which be outlawed of treaſon oꝛ felony, whome the ſaid Shirif knoweth oꝛ ſeeth to be in any place within the ſaid countie, & to bꝛing them to the Jaile. And if any ſuch perſon, bæing indited do diſobay oꝛ flée away: the ſaid Shiriffe ſhall leuy, hue and cry, and purſue him vpon pain to make fine and ranſome to the King. xxiij Henrici. vj. cap. v.

The Shirif ſhall not occupy his office

aboue

aboue one yéer, and if he so do: then to forfait. xx. l. and euery pardon for such offences shalbe void, any words put in such letters Pattents notwithstanding. Also he that presumeth to occupy the same office aboue one yeer by force of such letters patẽts, shalbe disabled to be Shiriffe in any other shire afterward. xxiij. Ye. vj. cap. viij.

No Shiriffe shall let to ferme his countie, nor any of his Baylywicks, hundreds wapentakes. No Shiriffe, Bayliffe of franchise, ne other officer shall returne in any panel any of his Bayliffes, officers or their Seruaunts.

No Shiriffe nor any other to any vse, shall take ought of any person to be arrested or attached, nor to successe of any arrest or attachmente to be made to the body. Nor shall take ought of any person arrested or attached, for fine, fee, sute of prison, mainprise, letting to bail, or for shewing any fauour or ease to any person beeing so arrested, except it be as heer foloweth, that is to wit, to the Shiriffe. xx. d. to the Bayliffe that made the arrest, iij. d. and to the Jaylour if the Prisoner be committed to warde, foure pence.

The Shiriffe him self, nor any to his

vse

yse shall not take any thing for ỹ making of any return or panel, but for ỹ coppy of the panel iiij.d. How beit they vse to take v.shillings for ỹ return of a panel but that semeth to be extorcion.

Shiriffes ought to let out of prison all persons,beeing in their ward by force of any writ,bil or warrant, in any action personall or inditement of trespasse vpon a resonoble surety beeing sufficient in the County to keep their dayes in the places as the said Billes, writtes, or warrants reqnire,except such as be condemned, outlawed, excommunicated,or for surety of the peace,or by the commaundement of any Justice,and vagabonds whiche refuse to serue.

Also Shiriffes ought not to take any obligations for any thing aboue mentioned or by coloure of their office, but onely to them selues, nor of any person beeing in their ward,but by the name of their office as by the name of Shiriffe in ỹ obligation vpon condicion that the parties shall appeere at the dayes conteined in the writs in suche places as the Billes, writtes or warrants require. And if any obligation be taken of any person by coulour of their

office

office in any other fourme, it ſhalbe void.

Shiriffes ſhall not take for any obligacion, warrãt or precept by thẽ tobe made any more then foure pence.

Shiriffes muſt make their deputyes yerely in the Kings courts, that is to wit in the chaũcery, the bench & the eſchequer of record before they return any writ.

Shiriffes that doo contrary to this ordinaunce in any point ſhall leſe to the party greeued triple damages, and ſhall forfait xl.li. for euery time that they ſhall ſo offẽd the one half to the King and the other to him that wil ſue. xxiij. Hen. vj. cap. x.

Shiriffes when writs be directed vnto them to leuye the expences of Knights of the Parlement, muſt make Proclamation at the next Countye after the deliueraunce of the ſame writs, that the Coroners, Conſtables, and Bayliffes of hundreds ſhalbe there to aſſeſſe their wages vpon pain of. xl.s. What time they ſhall aſſeſſe euery hundred at a certain ſumme by it ſelf, and after they ſhall aſſeſſe euery village within the ſame hundred at a certain ſumme by it ſelf. And if they be otherwiſe aſſeſſed, for euery default they ſhall forfait. xx.li. The one half wherof

ſhalbe

shalbe to the partie that wil sue. And the Shiriffe shall leuy the same duly, and shal pay it to the Knights of the Parlement vpon pain of xx. pound. And the partie that wil sue shall haue his action by Scire facias, and shall haue ten pounds aboue the twenty pound with triple damages xxiij. Henricy serti. capitulo vicesimo secundo.

The Shiriffe after the deliuery of any writ to make election for the Knights of the Parlement, must make a sufficient precept vnder his Seale to euery Mayor and Bayliffe of Citties and Boroughs, within the countie, commaunding them to elect Citizens and Burgesses to come vnto the Parlement. And the said Mayor and Bayliffe shall truely return the same precept to the Shiriffe by Indenture betwéen them for the election, and names of them that are so chosen. And the Shiriffe is bounden to make a good and true return of euery such writ, and of euery return made to him by the Mayor and Bayliffes. And for euery time that the Shiriffe shall doo contrary to this or any other estatute made for the elections of Shirifs to come vnto the Parlement, he shall encurre the pain of one C. pound to the king,

and

and a yéer imprisoument without bail.

And more ouer shall pay vnto the person so béeing chosen Knight, Citizen or burgesse and not duely return: or to any other person whiche in default of suche Knight, Burgesse or Citizen, wil sue therfore, one hundreth pound to be recouered by Action of det.

And the Shiriffe ought to make such elections in the ful Countie, betwéen the houres of viij. and nine before none, and to make a good and true return of suche elections, vpon pain to forfait one hundred pound to the King, & asmuch to the partye that wil sue therfore against the Shirifs, their executors or administratours. xxiij. Henrici vj. capitulo, xv.

Shiriffes in their turnes ought to inquire, hear, and determine, if any Minister of the Warden of the Court in the Marches of Scotland: or if any other arrest any person by his body or attache him by his goods out of the Countyes of Northumberland, and Cumberland and Westmerland, and the town of Newecastel, to answere in any of the said courtes: or els by colour or cause of any procesle in ỳ said courts: for in such arrests it

shall

shalbe lawful for euery man to make resistance. And the party greeued shall haue an Action of false imprisonment or trespasse, & shall recouer triple damages therfore, & the defendaũt shall haue two yeers imprisonment. And the shiriffe shall haue power to proceed thervpon as wel as vpon a presentment made in his turn. xxvi. Henrici sexti. Capit. vj.

Where as some men by dissimulacion and other meanes fain them selues to be louers to women vnmaryed as maidens or Widdowes, hauing great possession and substaunce of goods, and get some women into their possession, & conuey them into such places, from whence they wil not suffer them to go at their libertie, except they will make to them obligations of great summes to be paide vnto them, or cause them to be bounden in a Statute Merchant, or sometime wil compel them to be maried at their pleasure, which if they refuse, to leuy vpon them the sũmes conteined in the same obligations and statutes: it is ordayned that the party greeued shall haue a writ out of the Chauncery comprising the whole matter of their vnreasonable intreating, directed to the

Shiriffe

Shirif commaunding him to make proclamation at the next countie after ỹ receit of the writ that the offendour shal apeer at a certain day, & place prefixed in the writ before the Chaũceller or the Justicers of assise of the shire where such offences shall hap tobe don, or before some other person assigned by the chaũceller.

And the Shirif to whome such a writ shalbe directed, shall execute the same according to the tenour therof, vpon pain of iij.C.li. the one half to the king, the other to himỹ wil sue therfore by writ of det, wherin no wager of Law, protection nor forme plea( to cause the matter to be tryed in a nother Countie then where the writ is brought) shalbe allowed. xxxj. Henrici quarti, capitulo quarto.

Vpon euery inditement, or presentment taken before Shirifs or their ministers in their turns, or lawdayes, they shall deliuer the same inditements and presentments to ỹ Justicers of the peace at their next Sessions vpon pain of.xl.li. And ỹ Justicers of the peace shall award processe vpon the same aswel as if they had bẽn taken before them selues, & shal arain those ỹ be so indited of felony, and

shall set fines vpon such as be indited of trespasse, the extreats of which fines shal be inrolled by indenture, and deliuered vnto the same Shirifs or ministers.

And if any Shirifs or their ministers arrest or attach any person by coulour of any such inditement, or presentment in their turns or lawdaies, or els take any fine or amerciament before they haue processe frō the Justicers of the peace, or afore ẏ extreats out of ẏ Inditemēts shal be deliuered, they shall forfait a C.l. the moitie wherof shalbe to the partie suing therfore by writ of det, in which no wager of law, nor protection shalbe allowed. Anno primo Edwardi. iiij. cap. vltimo.

Upon an informatiō made to Justicers of peace, or other Justicers against any person for retaining or giuing of liueries or against any that is retained or taketh liuery, the Justicers shall make processe there, as vpon a recouery of det or trespasse. And if the shirif in any sute graunted therupon against any person bæing sufficient, return any lesse issues then xx.s. at the first day of the distresse, and at the second day. xxx.s. and at the third day xl.s. & so at euery day after more by x.s.

in

in issues for euery such return he shall forfait xx.s.viij.Edwardi.iiij.cap.v.

The olde Shirif shall haue power to return writs, and to execute his office during the terme of S.Michael and Hilary after the yeer of his said office expired vnles he be lawfully discharged, therof before.xv.Edwardi.iiij.cap.xi.

No Shirif nor other officer shall seaſe or take the goods of any person beeing arrested or imprisoned for felony vntil the same persō be duely conuict or attainted of the same felony by course of ỹ common lawes or except the same goods be otherwise lawfully forfait, vpon pain to forfait the double value of the goods so takē to the partie greeued suing therfore by action of det, wherin no wager of law essoin nor protection shalbe allowed. i.Richard.iij.capitulo.iij.

No bailif or other officer in any panel within any coūty of this realme shall return any person to be put in or vpō any Inquiry, in ỹ turnes of shirifs, but such as be of good name & fame hauīg freholde to the yeerly value of xx.s.or copyholde to the yeerly value of xxvj.s.viij.d at ỹ least abouie al charges vpō paī to leſe for euery

persõ not bẽeing sufficient, at euery time that they shall so offend xl.s. and the shirif other xl.s. wherof ẏ one moitie shalbe to the partie suing therfore by action of det, in which sute no protectiõ nor essoine shalbe allowed. But wager of law is not expressed. And for that cause it behoueth to make information therof to the Escheker. primo. Richardi. iij. cap. iiij.

Shirifs or other, hauing the custodie of Jailes shall certify the names of euery prisoner bẽeing in their custody & of them committed for felony, vnto the Justicers at the next generall Jaile deliuery to be kalendred, vpon pain to forfait for euery time that they make defanlt in so doing a hundred shillings. iij. H. vij. cap. v.

Also the Shirif nor any other person in his name or by his cõmaundement shall enter no plaints into their books in no mãs name vnlesse the plaintif be there in his proper person or els by sufficiẽt atturney or deputy that is knowen of good name, & the plaintif shall finde pledges, persons ẏ be knowen in that Coũtie, to pursue his plaint, and the plaintife shall hauebut one plaĩt for one trespasse or one cõtract. Anh if the shirif or any other his

officers

officers cause to be entred any mo plaintes then the plaintif supposeth that he hath cause of action against the defendāt then the Shirif or his Clark that dooth cause to be entred any such plaints contrary to this act shall forfait for euery default xl.s. the one half to him that will sue and prooue the same matter by action of det or information.

Also the shirif shall make sufficiēt precept after suche plaints entred against the defendant directed to the Baylif of the hūdred to attach or warne the defendant to appeer and answere to the said plaints, and there be any default in the said Baylif of the hundred in warning or executing of their offices, then to forfait.xl. shillings and to be conuict therof by examination of the Justicers of the peace or any of them.

The same Shirifs nor their deputies shall make none estreats to leuy the Shirifs amercements til the ij. Justicers of the peace, wherof one to be of ẏ Quorum haue the sight of their books & the estrates to be endented betwixt the Justicers of peace & the Shirif and vnder Shirif, sealed with their seales, ẏ one part to re

main with the said Justicers, and the other parte with the Shirif.

And those persons that shalbe gatherers of ỹ said amerciamẽts shalbe sworn by the said Justicers ỹ they take no more money then is forfait and conteined in the estreats sealed with the seal of ỹ Justicers to the same, vpõ the same pain of forfaitour as is aboue rehersed: the same gatherers tobe convict by examinatiõ of the same Justicers or one of thẽ. And the same Justicers of peace shalbe appointed at ỹ sessions holdẽ at Michelmas by him that is custos rotulorũ, or in his absence by the eldest of ỹ quorum to haue the controlemẽt of ỹ said Shirifs, vnder shirifs shire Clarks and other of the said officers, and of the said shirifs amerciamentes. And the said Justicers of peace vpon suggestion shal make processe against the Shirif, vndershirif, Shire Clarks, or other officers to apper before them to answere to such suggestion or information as is vsed in action of trespasse. An, secundo. Henrici. vj. capitulo. xv.

Also euery Shirif shall cause tobe taken all vagabonds, idle people and suspect persons, and set them in the stocks,

there

there to remain at the firſt taking by one day and one night, & at the ſecond time tobe in the ſtocks by three dayes and iij. nights with bread and water.

And if any ſhirif execute not theſe premiſſes of euery vagabound, hermit, or begger (able to labour) or Clarks, pilgrims, or ſhipmen, as often as any ſuch cõmeth in ſight, or that he hath therof any knowledge within the town or place where he hath authoritie, that as oft as any ſuche miſdoer abideth there aboue the ſpace of one day and one night and departe vnexamined and vnpuniſhed: for euery miſdoer ſo departed, the Shirif to loſe iij.s. and iiij.d. and the ſhirif in his turn hath authoritie to enquire of all the defaults of Mayors, Baylifs, high Conſtables, petty Conſtables, and all other gouernours and officers of Citties, towns & villages within their turn, and to haue.iij.s.iiij.d for euery default found in his turn, Anno xv. Henrici. vj. cap. xj.

Alſo euery Shirif vpõ a precept directed vnto him by ỹ Iuſticers of peace to return a panel to enquire of any riot or vnlawful aſſemble committed, ſhall return xxiiij. perſõs dwelling in the ſhire, euery

of thē hauing xx.s.of freholde or. xxvj. s. viij.d.of copy holde or of both ouer al charges & to return in issues euery persō xx.s. at the first day,and at the second day.xl.s and if the default be in the Shirif for returning of persons not beeing of that sufficiency or for no returning of issues in forme before said,he to forfait.xx.l. An. xvj.Henrici vij.capitulo xv.

Also if any ryot or assemble of people be made in any parte of this relme against the law, the Justicers of ỹ peace or two of them at the least,and the Shirif or vnder Shirif may come with the power of the Countie (if need be) to arrest and bring them before the same Justicers of the peace.And the Shirifs or vnder Shirifs haue power to recorde that,that they shall finde in their presence don contrary to the law, and the offendour shall be conuict by such record. And if they be departed before the cōming of the said Justicers Shirif or vnder Shirif,then shall the same Justices or ij.of thē within one moneth after such riot, enquire diligently where the assemble was made. And if the trueth cannot be foūd,then ỹ same iustices,or two of them & the Shirif or vn

der

der Sherif aboue ſaid, within a moneth next folowing, ſhall certifie before the King and his councel ȳ whole deed with all the circumſtaunces therof which certificat ſhalbe as ſtrong to put ȳ parties to anſwere therupon, as in an inditement found by xij. men. xiij. H. iiij. cap. vltimo.

And if the ſaid riot or vnlawful aſſẽble be not found (by reaſon of any embracery or mainteinaunce of the ſaid Jury) then the ſaid Juſticers of peace & the ſhirifs ouer and aboue ſuch certificate that they muſt make according to the ſaid ſtatute made. An .xiij. Hen. quarti, ſhall in the ſame certificat certify ȳ names of the ſaid mainteinours and embraſiours in that behalf (if any be) with their miſdemeanours that they know, vpon pain of euery of the ſaid Juſticers, and Shirifs or vnderſhirifs. xx. l. if they haue no reaſonable excuſe for not certifying of the ſame, which certificat ſo made ſhalbe an inditement in the law, and euery perſon duely proued tobe maintainer or embraſour ſhall forfait. xx. l. and tobe cõmitted to warde there to remain by diſcretion of the Juſticers. An. xix. Hen. vij. cap. xiij.

Alſo that no Shirif vpon writtes and precepts

precepts directed to him doo return before Escheatours or Commissioners any person to inquire of any lands or tenamẽts except euery of the same Jury haue lãds and tenaments of the yeerly value of xl. s. aboue all charges in the same shire vpon pain of forfaitour for euery person so returned a. C. shillings. Anno iij. Henrici octaui, capitulo secundo.

Also all panels put in by the Shirif before any Justicer of Jail deliuery or before Justicers of peace (wherof one tobe of the Quorum) in their open sessions to enquire, for the King shalbe reformed by putting to, and taking out of the name so impanelled by discretiõ of the same Justicers. And ỳ the same Justicers or Justicer shall commaund euery shirif & their ministers in their abcences to put other persons in ỳ same panel so reformed by the Justicers tobe good. And if any shirif doo not return ỳ same panel so reformed, then euery Shirif so offending, for euery such offence shall forfait xx. l. half to him that wil sue by acciõ of det, bil of cõplaint where such fal or be, & no wager of law, essoin, nor protection shalbe alowed.

Also vpon euery exigent (where writs

of

of proclamatiõ are tobe awarded) ẏ same writ of Proclamation to haue the same day of return that the erigent hath, and tobe deliuered of recorde, & the Shirif to make proclamation three seuerall daies in his plain coũty, wherof one of the proclamations tobe made at ẏ generall sessions in those parts where the partye is supposed tobe dwelling, that he yeld himself to ẏ shirif of the foren shire ẏ the Shirif may haue ẏ body at the day of the erigent, returnable to answer to ẏ plaints, and ẏ the Shirif of the said countie that hath such writs of Proclamatiõ: duly execute the same, and therof make due return at the day appointed in the writ, vpon pain to forfait suche amerciament as by the Iusticers shalbe assessed.

Shirifs, Baylifs, Constables and all other hed officers and euery of them, finding or knowing any person vsing or exercising any vnlawful game cõtrary to the statute, haue ful power to commit euery such offender to warde there to remain wtoutbail or maiprise, til such time as they so offẽding be boũd by obligation to ẏ kings vse, in such summes of money as by discretiõ of the said shirifs, or other

officers

officers shalbe thought resonable, ẏ they from henceforth shal not vse any vnlawful game. vj. Hen. octa. capi. secundo.

If any impotent person beg within any other place then within such limits as he shalbe assigned, the Shirif & all other of the Kings officers shall by their discretion punish such persons by imprisonment in the stocks, by the space of two dayes and two nights giuing thē bread and water onely, & after that cause them tobe sworne to return again to the place where they be licensed to beg. Anno. xxij. Henrici viij. capitulo duodecimo.

The Justicers of peace vpon informaciō or presentmēt made against any township for none executing of this act, shall make proces by distres aginst the inhabitants of the town and therby the Shirif shall distrain the goods of one or two of the inhabitants of the towne as he may know for negligent in the town & retain the distresse til they finde surety to appéer at the Sessions before the Justicers.

And vpon the return of the Shirif of the distres if the persō appéer not: thē euery such persō to lose xl. d. the first distres, and at the second destresse vj. s. viij. d. vp

on

on his default, and so to be doubled at euery distresse til appéeraunce be had.
Shirifs that haue custody of Jailes shall make seales tobe grauen with the name of the Castle that he kéepeth for to giue and seal writs to prisoners acquited, to beg for their fées within ye hūdreth wher he is deliuered by vj. wéeks next after his deliuery and then to go to the hundreth where he last dwelled by iij. yéer or where he was borne. The shirif shall not suffer any such prisoner to beg for his fées nor to departe but to doo seruice and labour til ye he deliuer him such letter and the Clark of the peace to make the bréef within one day after the Sessions vpon pain of xij. d. to the King. An. xxij. Henci. viij. capitulo xij.

For destroying of Crowes, Rooks and Choughes, it is ordayned that euery person hauing any maners, lands & tenemēts in their manurāce, shal doo as much as in him is resonable to kil & destroy ye same Crowes and Choughs, and Rooks bréeding or abiding vpon his lands or tenaments vpon pain of a gréeuous amerciament to be set. And if the offence be with in the limmits of Léets, or Court barōs

then

then tobe set by the Stuard with two of the presentours by the stuard and presentours to be named vpon the presentmēt found and presēted, and tobe resonablye assessed after the qualitie of ỹ office. And the amercimēt tobe to the Lord of ỹ lawday, and if any person be lord of such manours, or inhabit there (where vnto any such lawday or rape is belonging) then vpon a presentment had before the shirif in his turn with two of the presentours to be chosen by the presentours shal cesse the said amerciament by their discretion to the vse of the king, and be leuied by distresse. An. xviii. H. viii. cap. x.

And the Shirifs in their turnes shall giue in charge to the tenaunts and inhabitaunts appearing before thē that they shall duely enquire and put in execution the effect of this Act.

Shirifs shall holde their Courts from moneth to moneth, And where greater time is wunt to be, greater shalbe. Magna Carta. cap. xvii.

The King cōmaundeth that Shirifs and their officers which receiue his dets shal acquit lawfully the dettoures at the next accounts after that they haue receiued

ued the det, and then it shalbe allowed at the Escheker, so ỹ it shall not come in the sommons after. And if the shirif do other wise and be attainted therof, he shall render thrée times so much as he hath receiued and shal make fine at the kings wil.

And if another do it for whose hand he is answerable at the Escheker, he shall render ỹ triple therof to the plaintif and shall make fine in the same. And the Shirif shall make tailes to all thẽ that haue paid him the kings dets. Westminster primo Capitulo nono.

Concerning Shirifs and other which haue leuied the kings det, and make tailes or other acquitaunce to ỹ dettour and discharge him not, it is agreed that when the shirif is impleaded therfore in the Escheker by ỹ detter, if he come not at ỹ distres, thẽ shal a nother distres be awarded returnable at a certai day wherin it shalbe cõmaunded ỹ proclamatiõ be made in the ful county, ỹ the defendaũt shall come in by a certain day to acquit the dettour of the sum, for which he made him ỹ acquitaũce or tail, at which if he come not in, & the writ be returned and the proclamation certified, he shalbe holden cõuict

and

and the det shalbe leuied of him, in like maner as det recouered against him in the Kings court & damages shalbe awarded to the plaintif according to the discretion of the Barons. xiiij. Ed. ij. in the statute of Attaints in the last chap.

The King commaundeth that all his Shirifs and Baylifs which haue receiued his dets, of the somons of the Eschekers which acquit not the dettours vpon the next account, shalbe punished according to the estatute made. Distresses of the Escheker. Captulo quinto.

It is ordayned that execution of writs which come to the Shirif be made by the hundreders knowen & sworn, and in the ful countie and not by others if it bée not for great scarcitie of hũdreders. For then it shalbe don by other persons conueniẽt & sworn. The statute of Lincoln ỹ last ch

Shirifs shall not be charged with the leuying of any issues, nor shall leuy any, before they cõe out of the Escheker by the extreats there tobe leuied. And if percase any Shirif return issues vpon any recognitor, pledg or mãucaptor by him assessed and returned into our court which to the paiment of the same issues or amerciaments

ments at ye time of the return was insuf-
ficient, ye same Shirif shalbe charged ther
with at the Escheker, and shal make tai-
les to all persõs of all maner of things by
him receiued, and shall not returne any
where the names of manucaptors, Iu-
rours or other, except it be according to
the tenoure of the writs to them directed
nor shall return the names of pledges of
fremen any where vnlesse they haue ma
nifestly confessed them selues pledges.
The statute of fines.cap.y.

No Shirif, Coroner, or other the kings
ministers shall take no reward for do-
ing his office, and if he do he shal pay the
double, and shalbe punished at the kings
wil, but shalbe paid of ye which they take
of the king. West.i.cap.xxvj.

Shirifs shall not suffer any barretour
or maintainers of matters wiin bis couty
neither stewards of great Lords or other
(which be not atturneies to their Lords
to do their sutes) nor to sit vpon ye iudge-
ments of the countie, nor to pronounce
them except he be thereto required of all
the suitors & atturneys that shalbe there
at the same tourney. And if he do the con-
trary, the king shall take it greuously to

the Shirif, and the offendour. Weſtmin ſter primo capitulo xxxj.

It ſhalbe lawful for euery Shirif, Iuſticer of peace & Eſcheator to ſeſe to the kings vſe all ſuch goods and cattels that ſuch perſõs as come within this Realme (that be called Egiptians haue) & therof to make accoũt to the king in his Eſcheker, and to retain and keep ẏ moitie therof to his owne vſe, & account for the reſidue, and to pay no fees for the accoũt nor for his diſcharge therof.

In theſe Statutes it appéreth what thing ẏ ſhirif ought to doo by reaſõ of his office, and that he ought not to take any thing for doing his office, but onely that which is appoĩted to him by the ſame ſtatute. And if he doo or take any thing other wiſe: it is extortion, which ought to be enquired vpon by ẏ Iuſticers of the peace, and the Shirif ſhalbe puniſhed therfore.

And if any Shirif doo any extortion to the people, and be duely attainted therof, he ſhall ſtraitly be puniſhed therfore, at the pleaſure of the King. Anno. primo. Ẏ. iiij capitulo. ix.

Shirifs may and are boũd to enquire of cõmon annuſances doon to al maner of

the

the Kings Subiects, but not of assaults made vpon any priuat person for that is but a particuler offence, by Martin. iiij. Henrici sexti.

The Shirif must kéep his turn within a moneth after Easter, & within a moneth after the feast of S. Michael. And if he kéep it at any time after ỹ moneth of the said feast: it is void by the statute of An. xxxj. E iij. cap. xix. And all inditemẽts and presentments there taken after the same time be void.

Bloodshed shalbe enquired of in ỹ Shirifs turn, because it is an article that is tobe inquired of in a Léet. All léets be deriued and taken out of the Shirifs turns in so much that for default of enquery in léets of things enquirable there, ỹ same things there omitted ought to be inquired of, in the turnes of shirifs. viij. E. iiij.

And all the Iusticers said that the shirif in his turn hath authoritie to inquire of all things that be trespasse, or felony by the cõmon law (except ỹ death of a man) but of trespasse or felony made by statute the Shirif in his turn hath no power to enquire of. M. xxviij. Edwardi iij.

And if the Shirif in his turn inquire

of Nusances, that should be inquired of in the Leet of an other & ỹ same be foũd, yet may he not distrein for the amerciament of such a presentmẽt. For if he dow: he is tresspassour. But if ther were a default in the Lord of ỹ leet that he would not inquire or finde ỹ same whẽ he ought to haue inquired therof, in this cace it seemeth ỹ the shirif in his turn may enquire of it in default of ỹ Lord. M.xxviij. E.iij. And if one haue a fair or market by graũt or prescripciõ, & keep not his faier or market as he ought: the shirif ought to inquire therof in his turn. xxj. Hen. vj.

Upon presentment of Nusance in the shirifs turn, the partie shalbe amerced there by the shirf, which may distrain for the amerciament. And if porpresture be presented there the Shirif may abate the same, and refourme it. M.xxvj. E.iij.

Also it appeareth by the book of Breton that vnto the turn of the Shirif ought to come al the fræholders of ỹ hundred and other land, tenaunts (Clarks, men of religion and women onely exceped) wher at the shirif shall cause iij of ỹ moste sage and sufficient persons of the hũdred tobe sworne. And then shall all the residue be

sworne

ſworne by doſins & by the townes, whiche ſhall make their preſentment to the firſt iury. Iurrours, vpon the Article wherwith they ſhalbe charged. And it ſeemeth ỹ the Shirif ought to holde his turn in euery hundred within the countie.

## What things be enquirable in the Shirifs turn.

FIrſt, they ſhall enquire if there be any miſdoer in ỹ hundred of whome any ſtandeth in dout of life or lim, and what is his name.

Alſo they ſhall enquire of all mortal enemyes to ỹ King, the Queen, their children or councellours, of coũterfaiting the Kings ſeale or his money, of manſlears & murderours, burners of others corne or houſes feloniouſly, of Burglours, of robbers, of thæues, of out lawes, of thoſe that haue abiured the Realme & come again, of Sorſerers and witches, of miſcreants hereticks, of traitours, and of poiſoners, of cutters of purſſes, of Uſurers, of vitaylers buying and ſelling wittingly ſtolne fleſh, of them that wittingly, make white the ſkins of beaſts ſtolen, of reuelbours that wittingly buy ſtolen clothes & dreſſe them into another facion, of treaſure hid

in the ground, hues & cryes wrongfully or rightfully leuied & not pursued, or waters stopped straightned or turned, of bounds pulled vp or wrongfully chaunged, of walles, houses, gates, marle pits, ditches, or other disturbaunces made or leuied vpon any common way to the annoyance: of pety bribours ỹ shire Sheep to haue the woul, of such as take theft wt, & of those that haue made a prisõ of their owne house or houshold, of pound brech, of trespassours in park & põdes, of takers of other mens Dowes, of ỹ assise of bread and ale broken, of them that buy and sell by measure against the assise, of chaunce medleys, of conteckours, of blodshed, of watches vnkept of the kings high waies not inlarged, of those ỹ haue kept appeachers in any other prison then the kings or any other felon abowe a day & a night, of new liberties, cuskomes or iurisdictiõs vsurped since ỹ last turn, on water, or on land, of weffes, of wrecks of the Sea foũd and kept away, of bridges & cauceyes broken and who ought to repair thẽ, and of those that claime fraunchises or iudgemẽts realle, & of all those of th'age of xy. yæres, gone out of the hundred, which be

not

not come into their turn (except Clarks, Knights, their Children and wiues whiche be not in dolins) of vagabonds by the countrey which are of no mans retinue, of whome there is any euil suspection of leiud demeanour.

And when ỹ tolnnes haue giuen their verdit to the first Iurours, then immediately shall the first Iurours go and giue vp their presentment suche as they will abide by. And the presentment of felons they shall shew priuily, and the other openly. Breton. lib. j. fol. xxxviij.

Now must ye inquire further if Bayliffs of libertyes and fraunchises, haue duly don their office, which resteth in three point, which is, ỹ they truely execute the precepts which be directed vnto them according to the tenours of the same, and that they make due answere and return to the Shirif of the same precepts and that he take nothing for doing his office but onely the fees to him due, and appointed by the course of the law. And what fees they shal take, and what thing they ought to do by reason of their office shall appeer more plainly heer folowing.

## ¶The office of Baylifs of liberties.

Upon a precept made by ỹ Shirif to a Baylif of libertie vpō a writ of diſtres directed to ỹ Shirif to diſtrain ỹ defendaūt in the ſame writ, or the Iurours in any inqueſt, the Baylif muſt return good and ſufficient iſſues vpō the defendaunt, or vpon the Iurours if they haue ſufficient goods or lands within his Baliwick, and if he do not ỹ plaintif in the action ſhall haue an auerment that he might haue returned greater iſſues, if the defendaunt make default, or the iurours by the ſtatute of .j. Edwardi iij. cap. v. And the Juſticers of the peace muſt inquire if ỹ Baylifz haue don their office in that point.

Alſo they muſt inquire if Baylifs of liberties which be kæpers of any Jaile enforce any of their priſoners tobe appelers to the intent to haue a fine of the parties appealed for dout of impriſonment, primo Edwardi. iij. cap. vij.

Baylifs of libertis which take inditements in their turnes, or other where, ought to take them by indenture, wherof the one parte ſhall remain with the inditours

tours, and the other with the Baylif. ij. Edwardi. iij. Capitulo. xvij.

None shalbe made Baylif of liberties except he haue sufficiēt land in the place where he is minister, to make answere to ỹ King & his people. iiij. E. iij. cap. ix.

Baylifs of liberties which be Iailours and haue the keeping of prisons ought to receiue & safly kēp all thæues deliuered to them by the Constables of the towns, bēing indited, taken with the maner or appealed of felony without taking ought iij. Edwardi. iij. cap. x.

Baylifs of liberties must receiue such persons as be arrested in their franchise by the Constables, for suspicion of felony that walke in the countrie by night, or be of euil name, & shall kēp thē in prison vntil the cōming of the Iusticers of Iail deliuery, and in the mean time the baylif must inquire of thē. v. E. iij. cap. xiiij.

Baylifs of liberties, Cōstables & other officers of townes where loiterers & vagabonds resorte haue power to examin them diligently, and compel thē to finde suerty by sufficient mainpernours bēing distreinable of their good behauiour. And if any default be foūden in the same

loiterers

loyterers and vagabounds, and can not finde suretie, they shalbe sent to the next Jail there to remain vntil the comming of the Justicers of Jaile deliuery which may do wt them as they shall think best by the course of the law, by. R. y. cap. v.

No seruant or labourer at the end of his terme shal depart out of ye hundred or Rape where he is dwelling to dwel any other where, vnlesse he bring a letter patẽt containing the cause of his going, vnder the kings seal therto assigned. And if any seruãt, labourer be found vagarant wt out such letter, he shalbe taken forth by the Shiriks, Mayors, baylifs or other officers: & put in stocks vntil he finde surety of return to the town to serue frõ whence he came, vntil he haue such a letter to departe for cause resonable. xy. R. y. cap iij.

Baylifs of liberties haue power to arrest seruants and labourers ye wear daggers, swords, & kniues: & thẽ to seale and kẽp vntil the sessions of the peace & the weapõs to presẽt to ye Justicers therwith the names of them that bare them, & the weapõs shalbe forfait except they be trauailing in the contrey with their master or their lands or busines. xy. R. y. cap. vi.

Shiriks

Shirifs and Baylifs of liberties in their liberties are bound to receiue ſeruaunts and labourers begging and vagarant, and thē to detein in pꝛiſon without bail, without taking any fee oꝛ other thing of them at their entring oꝛ departing by thē ſelues oꝛ by their deputyes vpon pain of a C.s. to the king. xy. Ri.y. cap. ix.

Baylifs of liberties to whome the keping of the aſſiſe of bꝛead and ale, & the coꝛrection of the ſame belongeth, ſhall take no amerciament noꝛ fine foꝛ no default touching ỹ ſaid aſſiſe foꝛ which the offendour ought by ỹ law to haue coꝛporall penaunce, but they ſhall iudge them to the ſame penaunce. And Bailifs of liberties and all other that haue the képing & ouerſight of vitails ſhal put in due execution ỹ ſtatute made in ỹ xxiij. yéere of Ed. the iij. which beginneth. Quia maior pars popul'. & c. xiij. R.y. cap. viij.

Butchers, Fiſhers, Hoſtelers, Bꝛuers, Bakers, Pulters, & all other ſellers of vitailes, are bounden to ſel ſuch maner of vittailes at a reſonable pꝛice hauing regarde to ỹ pꝛice wherat ſuch vitailes are ſolde in other places néer, ſo ỹ they may haue a competent gain & not

excellius

excessiue according as by ỹ distance of the places (frō whence ỹ vitailes are caried) they shall think reasonable tobe required. And if any sel vitailes in any other maner and therof be conuict: he shall pay ỹ double of that he hath receiued to the partie indamaged, or in his default to any other that wil sue therfore. And mayors and Bailifs of townes. &c. haue power to enquire of all such as offēd against this ordinaunce in any point. And in case that the same Mayors and Baylifs be negligent in doing execution of ỹ premisses, and therupon be conuicted by the Justicers assigned by vs, they shalbe cōpelled by the same Justicers to restore ỹ triple value of the thing solde to the partie greeued, or to any other ỹ in his default will sue, & neuertheless shalbe greeuously punished against vs. xviij. Ed. iij. cap. vj.

No Stuard, Baylif, nor other minister of Lords of franchises whiche haue return of writs, shalbe atturney to any person in any matter win the same fraūchise or Bayliwick wher he is officer at any maner of time. iiij. H. iiij. cap. xix.

If any haynous riot be made, the Justicers of the peace, and the Shirif or vnder

Shirif

Shirif ought to doo their office according to ye statute made. xiij. H.iiij. And if they doo not, at the sute of the party greeued a cōmission shall go forth to inquire therof and of the default of ye Justicers & the shirif, and ye Coroner shall serue the processe and he must return persons ye haue land to the yeerly value of x.l. and shall return also. xx.s. in issues at the first day. and. xl. s. at the second, and at the third a C. shillings, and so double it at euery day after. And if default be in the Coroner in returning the issues, or of persons of such land he shall leese xl. pound. And if the olde Shirif be discharged, ye new Shirif shall serue the processe, and not the Coroner vpon pain of xl.l. if the default be found in him, touching the return of other persons by him impanelled which haue not landes to the yeerly value of x.l. or to return such issues as the Coroners be charged with. And Bilifs of liberties are boūd for to impanel sufficient persōs, as aboue is said vpō pain to leese xl.l. in cace that such persons may be found within his bailiwike. ij. Hen. v. Capitulo viij.

Balifs of fraunchises ought to make their roturnes and answers vnto the shi

rif

rif vpon his precept made vnto them in a speciall writ of assise, vi. dayes before the day of the sessions. vpon pain to forfit xl.li. for euery time that they shall doo the contrary vi. Hen. sexti. Cap. secundo.

Where a Precept is made to the shirif by Justicers of the peace, to return a panel to inquire of forcible entre, and he sendeth his precept to ỳ bailif of the liberte to return the panel because ỳ riot was doon within the libertie, now is the baylif bouden to make due return and execution of the precepts to him directed vpon pain of xx.li. for euery default. And the Statute wil that the Shirif shall return xx.s. in issues vpõ euery Jurour at ỳ first day, & that euery Jurour which shal passe in the inquiry shall spend xl.s. yearely wherby it seemeth ỳ baylifs of liberties are bounden to doo likewise, if so many of the said Jurours be within his libertitie for els he is not. viij. Hen. vj. cap. ix.

Baylifs of liberties in attaints vpon plea of land of the yearly value of .xl.s. or more nor in attaints for deeds cõcerning lands of like value, nor in attaints vpon personal actiõs wherin ỳ recouery extendeth vnto .xl.li. or more shall not return

or impanel any persons in such inquests, but those ỳ be dwelling within his Bayliwick, & that haue estate to their owne vse in lands or tenemẽtz for terme of life to the yeerly value of xx.l. or more, within his Bailiwick out of aũcient demesne and the fiue portes. And at the first day of the distresse returned shal return no lesse issue in such actions of attaint then. xl.s. and ỳ second distresse C.s. and the double of euery other distresse vpon the persons so impanelled and returned. And if he doe the contrary he shall pay x. l. to the King and as much to the partie. xv. Henrici. vj capitulo quinto.

Baylifs and other the Kings officers may arrest those Souldiers that come from the Sea, & shew not letters testimonials from their captains that they haue licenced them. And they shall kẽp them vntil they haue inquired whether that they had licence or not, & if they haue no such licence, then shall they be punished as felons. xxviij. Hen. vj. cap. xix.

No Baylif of a libertie vpon any precept to him directed to return the panell of any enquest shall in the same return any baylifs, officers or seruants to any officer

ficer aboue saide, nor shall take any thing by them selfe, or by other, of any person by them arrested or attached to their owne vse or auail nor if any other persõ for any arest or attachmẽt by ẏ body made by thẽ or ẏ is arrested by vertue of their office for fine, fée, sute of person, mainprise, letting to bail, of shewing of any ease or fauour to any person so beeing arrested for their reward or profit, but as is heer limitted, ẏ is to wit, for the shirif. xx. d. the Baylif ẏ maketh the arrest iiy. d. & to the Jailour if the prisoner be cõmited to him iiy. d. And no Baylif of any libertie, nor Coroner by him selfe nor by other, by colour of his office shal take any thing for ẏ making of return or panel, & for the copy of a panel but iiy. d. And baylifs of liberties shall let out of prison all prisõers by them arrested or beeing in their keeping by force of any bil, writ, or warrant in any action personall, or by force of any inditemẽt of trespasse, vpon resonable suretie hauing sufficient wiñ the bailiwick wher they be let to bail, to kéep their dayes in ẏ same places as the same bil, writ, or warrant shall require, those onely excepted, which be in warde vpon condem

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nation or be excommunicate, or outlawed or arrested vpon suretie of the peace, and vagarants that refuse to serue. And that the said Baylifs shall not take any obligation of any person nor by any person being in their warde by course of the law, for any the causes aboue rehersed, but in the name of their office and vpon the condition that the same persons shall appeer at the dayes contained in the said writs, billes or warrãts, and in such places as they require. And if any Baylif take any obligation in any other forme, by coulour of his office it shalbe void, and that he shall take no more for ẏ making of any such obligation, warrant or precept by them tobe made but iiij.d. And if they do contrary to this ordinaunce in any point, for so doing they shall render to the partie greeued his damages treble, & shall forfait for euery time that they do the cõtrary xl.l. the one half wherof shalbe to him that wil sue in any of ẏ kings courts therfore. &c. xxiij. H. vj. cap. x.

Baylifs of libertis ought not to sese the goods of any person arrested or imprisõed for felony, before that they shalbe conuict or attainted of the same felonye accor-

ding to the law or els that ỹ same goods be otherwise forfaited, vpon pain to forfait the double value of the goods so taken vnto the partyes endamaged suing therfore by action of det, wherin no wager of law, essoin, nor protection shall in any wise be allowed to the defendaunt. i.Richardi.ij.capitulo.iij.

Baylifs of liberties that be Jailers and haue the kéeping of Jailes shall certifye ỹ names of euery prisoner in his Jail that is there for felony, at the next general Jail deliuery in euery cõtie, or franchise (where such Jail is) tobe kalendred before ỹ Justicers of the same Jail deliuery, vpon pain to forfait for euery default there recorded. v.R.iii.Yen.vj.chap.iij.

All Baylifs & other hed officers and euery of them finding or knowing any person vsing or exercising any vnlawful games contrary to the statutes, haue power to cõmit euery such offẽder to warde and there to remain in prison, without bail or mainprise, til such time as he be bound by obligation in suche sum as by discretion of him that taketh the bond séeth resonable, to the kings vse that he shall play no more. An.vj.Ỹ.viij.cap.ij.

All

All ſtatutes made againſt Shirifs, vn der Shirifs, Baylifs, or other miniſters for making & returning of panels or Iu ries, or for due executiõ of ſeruig of writs or other proceſſe, or for taking of fees, or for the reformation of extortions, or for a ny other thing cõcerning their office, and all paines contained in euery ſuch Sta tute ſhalbe extẽded to all ſtewards, bay lifs & other miniſters and officers of li berties and franchiſes hauing return of writs and execution therof, in like ma ner as they extend to Shirifs, their vn derſhirifs, bailifs or other miniſters, ſa uing ỳ the bailifs and officers of liberties may occupye their offices for as lõg time as they ſhalbe giuen vnto them. An. xxvij Henrici octaui. capitulo. xxiij.

¶ The office of Eſcheators.

I Eſhall inquire of Eſcheators, if they haue duely executed thier of fice, and if they haue taken any more for doing therof then they ought, or if they haue committed and don any extortion or oppreſſion vnto the Kinges people by coulour of their office.

And therfore yee ſhall vnderſtand that

no Escheator ought to medle or inquire for the king, but in case where the king of right ought tobe intituled & haue the land or thing ỹ is foũd for him by the inquest, for if one holde of the king as of his Duchy of Lancaster by knightes seruice & dye his heire beeing wĩn age, the king to haue the warde of ỹ heire, & the land. And yet in that cace if the Escheator finde it by office he shall haue nothing for the finding therof, because the tenaunt held not of the King in chef, as of his crown. And therfore the King may entre & sese the lãd and the heire without office, and may graunt it. In like maner if the eschetor finde by office ỹ one dyed seased and held of other Lords and not of the king by knights seruice, and ỹ he is dead and his heire within age, the Escheator shall demaund nothing of right for finding of such an office. And so if he finde an office that one dyed sesed of such a maner in fee and held of the king as of such an honor or Castle by knights seruice, & his heire within age, yet ought not the Escheator to haue any fee or duty for the finding of that office, and if he take any thing therfore it is extortiõ, which is wel proued

by

by the writ of (diem clauſit extremũ) the words wherof be theſe. Quia Georgius Fer. qui de nobis tenuit i capite die quo obiit, diem clauſit extremum vt accepimus, ideo tibi ꝓcepimus. &. Wherby it appeareth ỹ if one holde not of the king in cheef ỹ eſchetor ought not to haue the fee of xl. s. for finding of the office. And if he take it in that behalf, it is extortion.

And in aſſiſe if the defendant ſay that the lands are ſeſed into the kings hands by the Eſcheator, and the Eſcheator beeing there preſent & eramined by the Iuſticers therupon doth cõfeſſe that he hath ſeaſed the lands into the kings hands, where in deed he hath not ſo don: in this caſe the Eſcheator doth wrong to the plaintif, which may haue an accion vpon his cace againſt the Eſcheator for his falſhed, & for that delay that he hath ſuſtayned thorow that confeſſion by ſuing to the king for a Procedendo.

None ſhalbe ſubeſcheator vnleſſe he haue ſufficiẽt lands in thoſe places where he is officer to anſwere to the king & his people in cace that any wil complain againſt them. Anno. quarto. Edwardi tertij. cap. ix. Anno. v. eiuſdem. cap. iiij.

The Eſcheatoꝛs ſhalbe choſen euery yéere as the Shirifs ſhalbe and by the ſame perſons that choſe the Shirifs. And that no Eſcheatoꝛ ſhall abide in his office aboue one yéer. An.xiiij. Edwardi terty capitulo.vij.

The Eſcheatoꝛs ſhall not doo waſte in Biſhopꝛicks, and other places during the vacation of them, neither ſhall ſel vnder woods noꝛ chaſe in Parkꝭ oꝛ warrēs, noꝛ fiſh in ponds, oꝛ frée fiſhings, noꝛ may take no fines of any tenements frée noꝛ bond, but ſhall cauſe them to be kept and ſaued without doing damage oꝛ any maner of oppꝛeſſion. An.xxiiij.E.iij,cap.iiij.

So by this Statute it appéereth that it appertaineth to the office of an eſcheatoꝛ to ſeaſe the tempoꝛalities of Archbiſhopꝛicks, biſhopꝛicks, & abbayes of the kings foundation, during the vacation of the ſame, and take the pꝛofits, and to accoũt foꝛ them to the king in ẏ Eſcheker. Howbeit there is a nother ſtatute made in the ſame yéer the effect wherof is, that if the Dean and Chap. Pꝛioꝛ oꝛ ſuppꝛioꝛ will take tempoꝛalitis to ferme, paying ẏ value accoꝛding to ẏ remembꝛaũces in the Eſcheker, that they ſhall haue thē befoꝛe

any

any other. And by an other ſtatute made the ſame yéer. cap. quinto. the Chaunce-lour, Treaſurer of ỹ Eſcheker, taking to them ſuch other of the coũcel as they ſhall thinck good, ſhall leaſſe the vacations of Archbiſhopꝛicks, Biſhopꝛicks, Abbeys, Pꝛioꝛyes and other houſes of religiõ (the auoidaũce wherof belong to the king) the Dean & Chap. Pꝛioꝛ oꝛ Suppꝛioꝛ, Pꝛio-res oꝛ Suppꝛioꝛes, & Couent at a certain rent to pay by ỹ yéer, quarter oꝛ moneth, during the vacations as they ſhal thinck beſt, wout making fine. And neither the Eſcheatoꝛ, noꝛ any other officer ſhall ſéek cauſe oꝛ matter to enter oꝛ to medle, oꝛ dw any thing in pꝛeiudiſe of the Church. Sauing to the king & his heires, knightꝛ fées, aduouſons, Eſcheatꝛ, wardes, mariages, releſꝛ and ſeruices to the ſaid fées be longing. In witnes wherof the king cauſed his letters pattents to be made ther-of dated at Weſt. the eighth day of Apꝛil the yéer abwue mencioned, wherby it appéreth ỹ the auctoꝛity afoꝛeſaid to make leaſes was giuen to the Chaũceler, & the Treaſoꝛer by the kings letters pattents &c. Anno. xiiij. E. iij. cap. vj.

Th'eſcheatoꝛs & other ỹ kingꝛ miniſters

muſt make account in th'eſcheker after this maner, ỹ is of lands and tenaments wherof profit ariſeth from time to time, throughout ỹ yer as of Mille, herbages, tolpleas, profits of courts, or ſuch other iſſues and profits, they ſhalbe bounden to anſwer the king for ỹ rate & value of the time according to the olde courſe of the Eſcheker. And touching auncient fermes and rents, that are to be paid at certain termes as rent leck, & rent ſeruice, wher of no profit ariſeth vntil the day of paiment, ſuch rents aud farmes ſhalbe paid vnto them ỹ haue liuery therof out of the Kings hand at the termes of paiment of the ſaid farmes & rents next folowīg ſuch liuery made, aſwel for ỹ time paſt as the time to come. xxviij. Ed. iij. cap. iij.

The King and his progenitors haue bēn ſeſed at forfaitours of warres, time out of minde, that is aſwel of lands and poſſeſſions as of goods and cattels. And by coulour therof th'eſcheators by their office haue ſeſed many lāds and tenemēts, as forfaites to the King, ſurmiſing treaſon in ſome perſōs bæing dead at ỹ time of the ſeſer, which neuer were attainted in their liues, the king hath ordained touching

ching ſuch forfaitours that fel in ẏ time of his grandfather, or before that ſo ſoone as an inqueſt therof ſhalbereturned into the Chaũcery by any Eſcheator or other that hath power to inquire therof, ẏ tenaũt ſhall not be put out of poſſeſſion, but ſhalbe warned by a Scire facias, to appeer at a certain day for to anſwer vnto ẏ ſame if he wil, & if no ſuch forfaitour be found ẏ Kings hand ſhalbe cloſed, ſo that in all other caces of forfaitours of treaſon by perſons deceaſſed nor attainted, nor iudged in their liues, their heires nor land, tenaunts ſhall not be chalẽged nor impeched of any other forfaitours, but of thoſe onely ẏ haue bẽn iudged in time paſt afore ẏ death of certain perſons by preſentment in eire in ẏ Kings bench, as of felons of the king and other. And therfore it ſemeth ẏ if one moue war againſt the King in his Realme, & is ſlain in the ſame: then the Eſchetor may ſeſe ẏ lands and tenamẽts as forfaitour of war without any other inquiry tobe made therof.

Euery Eſcheator muſt take his inqueſts of office, of good & lawful men ſufficient of inheritance, & of good fame and of ẏ ſame countie where the inquiry ſhal

be

be made. And the inquests shalbe indēted betwēn th'escheators & the iurours, and if it be otherwise doon: they shalbe voide, and they shalbe takē in good townes opēly

Trauerse may be taken to th'eschetors office, wherby any alienatiō or dying seased or that the heir is within age, & the land holden of the king in chēef is found.

Lands seased into the kings hands by reason of warde shalbe kept wout waste. And the escheators shall haue no fee of venison, fish, nor other thing, but shall answere the king of the issues and yeerly profits arising of the said lands without waste. And if he doo otherwise, then to make fine at the kings wil, and to pay treble damages at the sute of the heir, as wel within age, as of ful age.

And if he be within age his frēends shall haue the sute for him, answering to the heire of that, ỹ shalbe so recouered of him. Concerning other lands seased into the kings hands by inquest of office by th'escheator this forsaid ordinance, and punishment shall holde place against the escheator. And if any make claime to lād, so beeing seased: the Escheator shall return an inquest into the Chaūcery with-

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in one moneth after such sealer, so that a writ be deliuered to him to certify ỹ cause of the sealer, and there shall the party be heard to trauerse the office, or otherwise to shew his right. And the Chauncelour vpon his owne discretion (if he sée cause) may leasse the lands to the tenaunt paying to the king the value, if it belong to the king so that he finde suretie, that he shall doo no waste vntil it be adiudged.

And the Escheators shall take their inquests in good townes, & by honest men openly by Indenture tobe made between the Escheto⁊ and them of thenquest. And if he doo contrary to this ordinance: then to haue two yæres imprisõment, and further to make fine at the Kings pleasure. Anno. xxxvj. Ed. iij. cap. xxj.

None shalbe Escheato⁊ if he haue not xx. l. land at the lest or more in fée, & that they execute their office in proper person. And if he be otherwise then to be put out, wherby it appéereth that ỹ subescheato⁊ cannot inquire nor finde office. An. xlj. Edwardi. iij. capitulo. v.

Escheators nor Cõmissioners shall not take inquest, but by those ỹ be impanelled and returned to the shirif, and if they

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doo otherwise and bee conuict by examination or otherwise at ẏ sute of the partie, or of ẏ king, or any other person that wil sue, they shall incur the pain of xl. l. the moitie to him at whose sute they shal be conuict. And that no lands seased into the kings hãds shal be let to farme by the Chauncelour, vntil the inqust and verdits be returned into the Chuncery, & by one moneth after the same return, except it be to the party greeued which was put out of those lands by the inquests, and wil offer to trauerse them, and shew good euidence & finde sufficient suretie to sue his trauerse with effect, and to pay to the king ẏ yeerly value of the lands if it happen tobe discussed for the king. And if any letters pattẽts of any lands or tenamẽts to the contrary be made to any other person thẽ to him that offreth to trauerse, or be let to farme wͤin a moneth next to the said moneth of return: they shalbe voide and holden for none. A. viij. H. vj. cap. xix.

Escheators, and Commissioners shall return the inquests takẽ before them into the Chaũcery or in the Escheker within one moneth next after ẏ taking of the same vpon pain of xx. l. the one moitie to the

the king, the other to him that wil sue, Ann. viij. Hen. vj. cap. xix.

And if any Escheator take any office before him, and do not return the same in to ỹ Chaũcery or th'escheker wĩn the moneth next after the taking therof, hee shall encur the pain of forty pound forfait by the statute made. Anno. viij. Henrici. vj. and further shalbe bounden to pay to the king as much as he is endamaged by the not returning of the same. And that the Chaũcelour of England calling to him the Treasurer of England, may leace such farmes for the due execution of the said Statute. Neuertheless it appereth that the same statute giueth but xx. pound of forfait against the Escheator or Commissioner. Therfore serech for the true recorde of bothe the statutes. An. viij. Hen. vj. capitulo. vj.

Escheators must take their inquest of office, by vertue of ỹ writs of (diem clausit extremũ) and other writs within one moneth after the receit of the same, and that such inquests be takẽ in good towns and open places. And ỹ none of them privily nor openly by him self or by other take any thing for the execution of such writs

writs in one county aboue the sume of vj s.viij.d.or.xiij.s.iij.d.or vnder with his labour & his costs, so ỹ the same that he hath takē altogither exceed not aboue xl. s.for the executiō of any such writ in one countie. And if he do contrary to the premisses thē to forfait the sum of xl. l. the moitie to him that wil sue for ỹ king and him self. An.xxiij.Hen.vj.cap xvij.

None shalbe Escheators, if he haue not lands or tenemēts to the value of .xx. pound within the countie for terme of life, nor in the countie where he is escheator. Nor no Escheator shal let his office to ferme, nor make deputy (other then he wil at his peril answer for) whose name he must certify by his letters pattents to the Treasurer and Barons of ỹ escheker for ỹ time beeing, within. xx. dayes after such deputation made. And that no such deputy take vpon him to occupy in ỹ said office vnlesse the Escheator haue lāds, tenements or rents, to the yeerly value of xx.l. as before is said. And if any person do cōtrary to the premisses or any of thē, then to forfait for euery default. xl. l. the one moitie to him that wil sue, and the other to the vse of the Kings house by action

on of det, where no wager of law essoine or protection shall lye. xij. E. iij. cap. ix.

No Shirif, Escheator, nor other persõ shall sease or take the goods of any person arrested or imprisoned for felony before the same person so arrested or imprisõed be conuict or attainted of the same felony according to the law of England, or that the same goods shalbe otherwise forfaitted vpon pain to forfait the double value of the goods taken to the partie damaged suing therfore by action of det, where no wager of law, essoin nor protection shall lye. Anno. i. Ri. iij. cap. iij.

If any Escheator or Cõmissioner put into any of ỹ kings courts any inquisiciõ or office concerning lands or tenaments or other hereditaments not foũd nor presented by the othes of twelue men, & indented and by them sealed, thẽ to forfait for euery such offence returned, and put into any of ỹ kings courts, one. C. l. to the partye grẽued. A. iij. Hen. vij. cap. ij.

No Escheator nor other cõmissioner shall sit by vertue of any cõmission to inquire of lands and tenaments, except he haue lands or tenamẽts or hereditamẽts to the yẽrely value of xl. marks, ouer

all

all charges vpon pain of xx.pound.

The Escheators and Commissioners shalbe discharged by their othes, ỳ they may not dispend xl.marke ouer all charges, and that vpon proces made against them out of th'escheker. Th'escheators & Cõmissioners shall sit in open places, and shall suffer euery person to giue euidẽce openly in their presence to the inquest taken before them vpon pain of.xx.l.

The Jury shall receiue the coũterpain of the Indenture that shalbe preseẽted, indented and sealed by the Escheator, commissioner, & to rest in the possession of the first mã that was sworn in the same Jury vpon pain of euery person that shalbe sworne xx.shillings.

And euery Escheator and Cõmissioner after ỳ the Jury is sworne & redy to giue their verdit, and offer to preseẽt the same that ỳ same Escheators or cõmissioners or parte of thẽ shall receiue the same verdit without further delay, vpon pain of a C.l. and diliuer the cunterpain of the same Indenture to the Jury in fourme before said vpon the same pain.

And if the Clark of the petie bag, or his deputie wil not receiue suche offices,

and

and put it into the files to remain of re-
corde within three dayes after it be recei
ued or offred tobe receiued, he to forfait
for euery ſuch default.xl.ℓ. And ỹ cõmiſſi-
ner & Eſcheator tobe diſcharged of the pe
naltie of.xl.ℓ limitted by the ſtatute for
none returning of the ſame offices, or in
quiſition within one moneth.

The like law & penaltie tobe againſt
the officers in the kings Eſcheker which
ought to receiue ſuch inquiſition, for refu
ſing ſo to receiue thẽ. And the commiſſi-
oners and Eſcheators tobe diſcharged of
the penaltie for not returning of ỹ ſame
inquiſition, ſo made by the ſaid Eſchea-
tors or Commiſſioners at any time af-
ter ỹ moneth of ſuch office before thẽ foũd
or before any of thẽ within an other mo-
neth then next enſuing, returned ỹ ſaid
office into the Chaũcery or Eſcheker, as
the caſe ſhall require. And ỹ clark of the
petie bag to certify the trãſcript of euery
ſuch office taken before any cõmiſſioner
or Eſcheator, into the Eſcheker the next
terme folowing the receit thereof, vpon
pain of a, C.s. for euery default.

And no man be compelled to occupy the
office of Eſchetor by any pattẽt ouer one

whole yéer, & he that is once Eſcheator ſhall not be Eſcheator again within .iy. yéeres next after ý ſaid whol yéer ended.

If any Eſcheator exerciſe his office by reaſon of any pattent ouer ý time of one whole yéer ended, or be made Eſcheator within iy. yéers after: then after the ſaid whole yéer ended his pattent ſo made to be void, & the party gréeued ſhal haue his recouery of euery of ý ſaid forfaitours of one. C. l. by action of det, where no wager of law, eſſoin nor protection be allowed. There be diuers prouiſions made for diuers Eſcheators in Citties and Boroughs and in diuers counties.

And if the lands or tenaments of any man be ſeaſed in the kings hand by vertue of any office found before the Eſcheator or Cõmiſſioner, or by reaſon of any other record foũd in the Chaũcery or the Eſcheker, & he ý is ſo put out of his lãds by reaſon of ſuch recorde or office ſo foumden, come and trauerce that recorde or office & it is foũd for him, wherupon he hath his iudgement, that the kings hands be cloſed & amoued: now if ſo be that there be an other recorde or office found remaining amongſt the kings records whiche

is

is not trauersed nor tryed, yet shall not the Escheator seasse the lands again into the kings hands by ỹ reasō of that record beeing found not trauersed. And if he do: then doth he wrong and extortion, and the partie that is put out shall haue assise against him, and shall recouer double damages against him. But in this case the king must sue a Scire facias against him that hath the lands out of his hand vpon this other recorde or office, that was not trauersed before. This is giuē by the statute of Lincolne, called the statute of Escheators. Anno. xix. Ewardi. ỹ.

And if the Escheator by coulour of his office without warrant or auctoritie of the law that belongeth to his office, disseise any man of his lands or tenaments, the partie that is disseased shall haue an assise of Nouel disseison, and shall recouer double damages against the Escheator, Westmin. i. capitulo. xxbj.

The escheator hath no power to amercy any man that appeareth before him, & misdemeneth him self, or if the Iurours that be sōmoned appeer before do make default, he shal record such things in his role, and shall not amercy the Iurours,

but he shall send the same recorde to the Justicers in Eire, or to the Justcers of assise when they come into the contrey.

It shalbe lawful to the Shirif, Iscicer of peace, & Escheators to sease to ỹ kings vse all such goods and cattels that such persõs as come within this realme, that be called (Egiptians haue) and thereof to make account to the king in his Eschequer, & to retain and kéep the moitie therof to his owne vse and account for ỹ residue, and to pay no fées for the account nor for his discharge therof.

## ¶The office of Constables.

FOr asmuch as the office of a Constable was an office at ỹ common law of long cõtinuance, & was first ordained for the conseruation of ỹ kings peace tobe had and kept in euery towñ among the kings Subiects there dwelling, somwhat shalbe spoken. And how far forth their power doth extend, and what penalties are prouided against them, for not executing their offices.

## ¶Who were conseruators of the peace at the common law.

It

IT is now seen for the conseruation of the peace, what persons by ỹ common law had auctoritie therein, before the making of the Statutes wherby Iusticers of the peace are ordained.

And it seemed ỹ by the common law diuers persõs were conseruators of ỹ peace, for at ỹ cõmon law there was one person which is called chief Iustice of England, to whom ỹ king cõmitted his auctoritie in the ministration of Iustice for things touching his crown, & for the conseruation of his peace amõg his subiects throughout all his Realme. And ỹ is proued by the writ which the king sendeth to him, that he should holde his place in ỹ ministration of Iustice to his subiects in the forme aboue said throughout all his realme, wherby it doth appeer ỹ the same chief Iustice is high conseruator of ỹ pece throughout al the coũties of Englãd, and in euery parte of ỹ Realme where he goeth. Also there be other persons conseruators of ỹ peace throughout ỹ Realme, as the steward of Englãd, the marshall, and the Cõstable of Englãd. Also ỹ constables of euery towne were & be keepers of ỹ pece by ỹ cõmon law, likewise the high Con-

ſtables of hūdꝛeds, wapontakes, lathes, oꝛ tithings were and be conſeruatoꝛs of the peace by the cōmon law within the townes oꝛ hundꝛeds, and within their limits. And beſoꝛe the making of the Statutes wherby Juſticers of ỹ peace are oꝛdeined, the king by his cōmiſſion made conſeruatoꝛs of the peace in thoſe coūties and places (where him thought beſt) to kæp his peace, & the auctoꝛitie which conſeruatoꝛs of the peace, had by the cūmon law, is the ſame auctoꝛitie that a Conſtable of a town oꝛ wapontake hath at this day, wich I ſhall partely touch.

If one make aſſault vpon the Conſtable, the Conſtable may defend him and may take him, & commit him to ỹ Jail vntil he haue found ſuretie to kæp the peace, though that the aſſault were made vpon him ſelf. As it appæreth Mich. v. Henrici. vij. in the tile Bar. Much moꝛe then if a Conſtable ſæ one making aſſault vpon a ſtraunge perſon, he may take him and commit him to pꝛiſon, oꝛ to the Jail, vntil he haue found ſuretie to kæp the peace.

And if one man thꝛete an other where vpon he that is thꝛeatned commeth to the Conſtable, and ſhewеth his matter,

and

and prayeth him to compel him ỹ so threatned him to finde suretie: in this case the Constable and the partie that is threatned may go and compel him that so did make such threatning to finde suretie to kéep the peace, and if he wil not: they may commit him to warde vntil he haue found such suretie as you may sée. Mich. xliij. Edwardi. iij. in the title of Bar.

And if one be striken in parel of death it is ỹ office of the Constable of the town to arrest the offendour, and to kéep in prison vntil it be knowen whether the partie so striken shall liue or dye vntil that he haue found suretie to appær before the Justicers of Jail deliuery, or at such time as he shalbe called vpon to appær before the Justicers at their discretion.

And if one flée for felony it is the office of the cõstable of ỹ town to seale his good and to kéep them, & if they hap to be impaired in his kéeping: he shall answer for them to the king. ij. E. iij. in the shire of Northãpton, but by ỹ statute made. 5. Ri. iij. cap. iij. that is chaunged. And if felons or murderers be in the town, & the Constable haue knowledge therof, it is his office & duty to assẽble people for to take thẽ

And if one take a felon in the town and bring him to the Constable tobe cõueied to the Jail, the Constables office is to cary him thither, & to cause other of ỹ town to aid and assist him in so doing.

And note that the Constables were ordained for two intentz: ỹ is to wit to kẽp the peace, & also to represse felons, to take suretie by obligation of such persons as they shall finde making of frayes.

It appertaineth to ỹ office of the chẽf Constable of Englãd to haue comusãce of deeds of armes and contracts touching deeds of armes & of war out of the realme and in like maner of things touching armes within the realme which cannot be determined by the common law, as it appẽreth clẽrly by the statute made the xiij yeer of Richard. ij. cap. ij.

Also it appẽreth by the statute made, anno primo. H. iiij. capitulo. xiij. that all appeales to be made of things don out of the realme of England shalbe tried and determined before the Constable, & Marshall of England for the time bẽing.

Also whẽ battail is ioyned in a writ of right or in appeal, that shalbe derained before the Constable & marshal, how be it

the

the Justicers must see the battil don because ỹ they be properly Judges therof, & not the Constable nor the Marshall.

And the Cõstables haue many other authorites aswel by ỹ common law, as by statutes made ỹ which you may se there

Anno. by. Edwardi. iiy. It is said the gardiners of ỹ peace at ỹ cõmon law may inquire of cõgregatiõs, & vnlawful assemblies, & of disseason with force, but not of entre with force. But now by the statue, if any entre wt̃ force, or don disseasõ wt̃ force, or enter peaceably, & keep possessiõ with force ỹ Justicers of peace may make restitution to ỹ party, & put him in possessiõ by their writ directed to ỹ shirif.

Constables in the towns where they bear office may arrest men ỹ go or ride armed in faires, or markets, by day or by night & take their armour as forfait to the king, imprison them at ỹ kings pleasure. An. y. Ed. iy. at Northampton.

The kings purueiours ought to make their purueyaũce for the Kings house, by the Constable, & foure honest men of the townes where suche purueaunce shalbe made wout thretning. And in presẽce of the Cõstable, tailes shalbe made & sealed

with

with the seales of the takers, betweén the said takers & the parties of whō the good be takē. And if any taker make his prise otherwise: it shalbe don wᵗ him as with a thef. An. xy. Ed. iy. cap. i.

Constables of townes must arrest such as passe by night, of whome suspicion is had, and deliuer them to the Shirif, ther to remain in warde vntil they be duely deliuered. Also they must arrest such as be called robberdes men, Wasters and Drawlatches (if suspection be had of any such) be it by night or day, & deliuer them to the Shirif vntil the comming of the Justicers of Jail deliuery. v. E. iy. cap. xiij

It is ordained ỹ none shall take for thre shing a quarter of wheat or corne aboue ij. d. ob. & for a quarter of barley, beanes, peas & otes. j. d. ob. if so much haue béen vsed tobe giuen, & in the contrey where they vse to repe by the sheffe, & thresh by the bushel, they shall take no more or otherwise. And ỹ such labourers and other seruants shal make an othe two times in the yéar before Lords, Stewards, Bayliffs, & cōstables of euery town, to do & kéep this ordinaunce, & that none of them shal go out of ỹ town where they dwelled in

winter

winter for to serue in summer (if he can haue seruise in ỹ same town) sauing to the folke of the cũties of Staffor̃de, Darby, Lancaster, Crauen, & the marches of Wales there frée libertie to labour in o ther contreyes in ỹ time of August. And they that refuse to make such othe, or to perfor̃me ỹ thing that they haue swor̃n and taken vpon thẽ shalbe put in ỹ stock̃ by ỹ said Stewards. Bailifs, Constables of towns by ỹ space of thr̃ée daies or more and shalbe sent after to the nert Jail, and there to remain vntil they wil be or̃dr̃ed and that there be stocks in euery towne for ỹ same intent. And ỹ Stewards, bay lifs & Constables, shall make othe befor̃e the Justicers assined to inquire diligẽtly of all thẽ ỹ offend against this or̃dinaũce, and to certify their names befor̃e ỹ same Justicers whẽ they shall come into ỹ con trey, to kéep their sessions, vpon which cer tificat made, ỹ same Justicers shall cause them to be attached by their bodyes to ap pér befor̃e the same Justicers, to answer vnto such contempts, so that if they be at tainted: they shall make fine & raũsome and further tobe cõmaunded to pr̃isõ vn til they haue found surety to serue in ma-

ner

ner abooue said. And ẏ Justicers at euery time that they shall come into ẏ contrey shall inquire of Stewards, bailifs & Constables whether they haue made good & lawful certificat, or haue consealed ought for any gift, procuremēt, or affinitie, and shall punish them by fine and raunsom if they be found giltie. xxv. Edwardi tertij. Capitulo. ij. & .viij.

Constables of towns where as Faitours or vagabōds resorte haue power to examin them diligently, & compel thē to finde surety of their good behauiour, by sufficient mainpernours distreinable in case that any default be foūd in such faittures and vagabonds. And if they can finde no such suretie: then tobe sent vnto the next Jail, there to remain vnto the comming of the Justicers of Jailes deliuery, which haue auctoritie to doo with such faitors and vagabonds as they shall think best tobe doon by the law. Anno primo. Ri. secundi Cap. quinto.

Constables of towns may arrest any Seruant labourer comming to the town from any place vagarāt, vnlesse he haue a letter cōtaining the cause of his going and ẏ time of his return, vnder the Kings

seals

seal that therto shalbe assigned & deliuered to ỹ custody of somehonest mã of that hundred, wepentake, Cittie or borough, according to the discretiõ of the Justicers of peace. And the Cõstables may put him in stocks, & kéep him vntil he haue found surety to return to his seruice, or to serue in ỹ town frõ whence he came vntil he haue a letter to departe vpon cause resonable. An. xj. Ri. secundi cap. iij.

Constables haue power to arrest seruants & labourers that bear about them hangar, dagger, or knife, and to seale the said weapõs as forfait & them to kéep vntil ỹ sessions of the Justicers of peace before whom they shall présent such wepõs with ỹ names of them ỹ bare thẽ, except that they trauail in ỹ cõtrey in their masters message. xiiij. Ri. ij. cap. vj.

Shirifs and other the kings ministers may take the power of the contrey to represse assemblyes & ryots in outragious number, & to commit them to prison. An. xvj. Ri. ij. capi. viij. It séemeth by these words (the Kings ministers) that Constables of townes, haue power to do so by this act aswel as the Shirifs.

Constables may arrest seruants labourers,

rers, and imprison thē by the space of. vj. dayes, whiche vse not bowes & arrowes vpon Sundaies & such other festiual daies, which wil not leaue vtterly all playing at ẏ ball aswel with hand as wt foot, and other games called coits, dice, castīg of ẏ stones, keiles, & all other like importunate games. xj. Hen. iiij. cap. iiij.

Constables and al the kings liege people that are able to trauail wī in the countie must be assisting & aiding to the Iustices of peace, & the Shirif to repres great riots, and vnlawful assembles vpō pain of imprisonment and to make fine & raūsome. Anno secundo Hen. v. cap. viij.

Constables shalbe made in euery parte of ẏ marches of Wales & market townes to inquire, search and arrest such persōs that cary vitail or armour to any parte of Wales, wout the kings licence which Constables shall haue ẏ vj. parte of ẏ forfait for their trauail. iiij. H. iiij. cap. xvj.

Constables of port townes (where souldiers that haue bēn retained in wages to serue in war beyond ẏ Sea or vpō the Sea, & departe from their Captains, and turn back & arriue in any porte of England wout licēce of their Captain vnder

his

his seal, may arrest such souldiers & kéep them vntil inquiry be made of thē, and if it may be prooued by inquiry before Justicers of the peace, and prooues ẏ they haue mustred of recorde, & departed from their captain (as before is said) without licēce: then they tobe punished as felons. Anno. xviij. Hen. vj. cap. xix.

The Constables, tithingmen, & chéef pledges of euery town, must assist & aide the owners & sellers of any goods (where the king's purueiours wil make their purueiaunce or bargain of any goods to the value of xl. s. or vnder) of any person and wil not pay prest paiment in hand: in which case it shalbe lawful for euery one of the Kings lieges: to retain them, and to resist such purueiers and not to suffer them to make any such pnrueaunce. And if the constable, tithingman or chéef pledge be required to aid & assist any mā in making such resistaūce, and he refuse it, he shall pay to the partie gréeued the value of the thing so taken, by action of det, with the damages to the double. xx. Henrici. vj. cap. xiiij.

Constables may arest purueiors, or buyers for any Lord or other person (except

purueyors

purueyors for the king & Quéen) whiche take any vitail or cariage against ỹ will of the owners, & to cõmit them to ỹ next prison of ỹ king⁊ there to remain wout bail or mainprise vntil they haue deliuered all the said vitailes or cariages, and other things so taken. And if the Constables do otherwise when they be required: they shal forfait twenty pound. The moitie tobe to the partie from whom the goods were taken, tobe recouered by action of det, wherin the defendant shall not wage his law. An. xxiij. H. vj. cap. xiij.

Clothiers shall pay to carders, spinners and other labourers lawful money for their wages, & carders, fullers and other labourers shall do their duty vpon pain of double damages. And the constables of the hundred or Cõstable may hear and determine the complaints of euery such clothier, and labourer, as wel for no payment of the said wages of labourers, as of the said forfaitures & damages by due examination of ỹ parties in that behalf, and further for none paiment of the said duties, forfaitures & damages, to cõmit ~~the trespasser to the next Iail in the same coũty, vntil the said duties, forfaitures, &~~

damages

damages, to commit the trespassours to the nert Jail in the same coũtie, vntil the said duties, forfaitures, and damages be duely paied vnto the said labourers or clothiers. iiij. Ed. iiij. cap. i.

Euery high Constable or pety constable shall take or cause to be taken all vagabonds, idle people, and suspect persons liuing suspeciously, & set them in ỹ stocks and there to remain by one day and one night, and to haue none other sustenãce, but bread & water, and then to auoid the towne where they were taken, into such place or hundred where they were born, or where they last dwelled by ỹ space of iij. yeeres. And if eftsones they be taken in such default, thẽ they tobe set likewise in the stocks by three daies and iij. nights with like diat. xiij. Hen. vij. cap. xij.

Constables and other hed officers, and euery of them finding or knowing any person vsing or exercising any vnlawfull games, as tennis play, bowles, clash and all other vnlawful games prohibited by many statutes, shall haue ful power to cõmit euery such offẽdour to warde there to remain without bail or mainprise, til suche time he or they so offending bee

bound by obligation to the Kings vse in such sum as by the discretion of the same officer shalbe thought resonable that they from thence forth shall not vse any vnlawful games. vj. Hen. viij. cap. vj.

For wages for water men, & for their barges or botes, or for a barge from London to Graues end. iij. s. or els euery person and his male. v. d. From London to Ereth, Grænwhich, Grastorock, or Purflet. ry d. or els for euery person, and his fardle. j. d. so it passe not. ry d. From London to Wulwich. riij. d. for a bote or whery that is ỹ tide bote, or els for euery person. ob. From London to Grænwhich. ij. d. or els. ob. for euery person and his fardle From London bridge, Saint Mary Oueryes, or Paules wharf, to westminster. iij. d. or els euery person a ob. From the black Fryers, Bridewel & the Temple, to Westminster or Lambeth. v. d. withtheir males, or els euery parsõ. ob. so that it amoũt to. v. d. Frõ Westminster to Lambeth or stayngate a ob. for a bote. From Londõ to Wortlake. ry. d. or els euery person, v. d. wỏ his male. And from those places aboue named to Londõ for a bote or barge like sũmes tobe paid. And

these

these articles tobe kept vpō pain to forfait treble the fare. And Bailifs, Cōstables & other the kings officers next adioyning to the ferryes vpon complaint to thē made or to any of them, by thē that be greeued in that behalf, may arrest them, and commit thē to warde for their misdemenour & to make fine for ẏ same. vj. H. viij. ca. vj

By the Statute made. An. xxij. H. viij. how impotent persons shalbe ordred to beg and haue their liuing. It is ordained that if any impotent person auctorised to beg do beg in any other place then within the limits to him assined: then ẏ Constables & all other the kings officers shall by their discretion punish all such persōs by imprisonment in the stocks by ẏ space of two dayes & two nights, giuing them but onely Bread and water, and after that to cause euery such persō tobe sworn to return again without delay, to the hundreth, Rape, Cittie, Borough, towne, parish or franchise wherin they be auctorised to beg in.

And if any impotent person be vagarant & go a begging & haue no such letter vnder seal as is specified by this statute: then the Constables and all other inhabi

taunts within such townes or parish shall cause euery such begger to be taken and brought to the nert Iusticer of peace or high Constable of the hundred. And thervpon ỳ said Iusticers of peace or high constable shall cõmaund the said Cõstables and inhabitãtz of the town or parish whithe shall bring before him any such begger, that they shall strip him naked from the middle vpwarde, and cause him tobe whipped within the town wher he was takẽ, or were the same Iusticers of peace or high Constable shall appoint. And if not: then to commaund such begger tobe set in the stocks in the same town or parish where he was taken by the space of thrée dayes and thrée nightz, to haue only bread and water, and thereupon the said Iusticers or high Constable shall limit a place to the same begger to beg in. And to giue him a letter vnder seal, in forme before limitted, and to sweare him to repair thither immediatly after his punishment executed.

And all other persons béeing whole and mightie in body ỳ do beg, ỳ Constable of the Hundred, rape or wapentake, wherin such persons shalbe so taken, and

the Juſticers of peace or high Conſtable before whome they ſhalbe brought, by their diſcretiō ſhal cauſe thē tobe brought to ſuch places as they think conuenient, and there to be whipped naked through the towne, or market, & then to be ſworne to return to the place wher he was born or where he laſt dwelled by the ſpace of iij. yéers, and to haue a letter vnder the ſeal witneſſing ỹ he hath bēn puniſhed.

Alſo all perſons ỹ abiure to any Sanctuary within this Relme ſhalbe cōueied therunto by the Cōſtables of euery townſhip, that is from towne to towne, til that he come vnto that ſame Sanctuary wher vnto he is abiured, in like maner & form as perſōs that had abiured this Realme ſhould haue bēn cōueied to the next port of the Sea from that place where they be abiured vnto the ſame porte by courſe of the common law, before the making of this Statue. xxj. H. viij. cap. xiij.

Euery farmer or owner of landz, tenements or hereditaments, wherof ỹ yéerly value or rent amounteth to v. pound which manuereth ỹ ſame, ſhall pay to euery perſon which by his diligence & labour at his owne coſts taketh any olde

Crowes, Rooks or Choughs vpō the same lands, tenaments, or hereditaments of the yéerly value aforesaid. ij. pence for euery xij. olde Crowes, Rooks or Choughs, and a peny for six, and a halfpeny for. iij. olde Crowes, Rooks or Choughs. And if any Farmer or owner refuse to pay the said money according as is aforesaid, thē vpon a complaint and proof made therof to any Justicer of peace or high Constable: the same Justicer or high Constable shall cause the same money to be leuied by distresse of the goods and Cattels of euery such Farmer or occupyere of the same lands and tenaments. Anno. xiiij. Henrici. viij. cap. x.

Where it is ordained by a Statute made in the. vij. yéer of Richard the second. cap. ix. that he which espyeth & prooueth defaults in any clothes, put to sale contrary to the assise therof, ordained touching clothes, and contrary to the said statutes should haue the third parte of euery such cloth bæing defectiue for his labour by the deliuery of ye Shirifs, if they be present or els of the Lords of faires and markets, or of Stewards, Bailifs or Cōstables of towns where such defectiue

clothes

clothes shalbe found, by Indenture betwæn them tobe made, the which shalbe deliuered euery yeer in the Escheker at the feast of S. Michael by them that shall make such deliuery, to the intēt to charge the Annagours & coilours, by whōe such maner of default ought tobe serched and amended. An. vij. Ri. ij, cap. ix.

If any person Ship merchandise of Staple in places suspect adioyning to the Costs of the water, and maketh no Indentures therof betwæne him and the Mayor or Constable of the towne, they shalbe forfait and the king shall haue the moitie and the Lord of the town, and hee that found seased such wares shall haue the other moitie. And it is lawful for euery person to serch in these causes. An. xiiij Henrici. vj. cap. v.

It is ordained that a horse man shall paye for passage at Douer iij. s, and a footman vj. d. And the Constable of Douer to punish them that do contrary at the sute of the partie that wil complain and shall do him right in that behalf. An iij. Ed. iij. cap. viij.

¶ The office of Corroners.

For to declare plainly the office of a Coroner, it appæreth by the ſtatute of Magna carta in the.xv. cap. that no Coroner ought to holde any pleas of the Crowne. But Bracton declareth the office of a Coroner in forme folowing.

Firſt that in euery coũty Coroners ſhal be the principall conſeruators of ỹ peace to bere record of al the pleas of ỹ crown of abiurations, vtlagaries & ſuch like. And the coroners ſhal make an oth before the Shirifs in the ful countie that they ſhall make their iuqueſtꝫ inrolementꝫ, and al that to ỹ coroners office appertaieth lawfully and without aſking allowãce. And if any felony chaũce, or treaſure be found or any woman rauiſhed, or priſon broke, or any man woũded nigh vnto death, the coroner ſo ſoon as he ſhall knowe therof, ſhall ſend to the Shirifs & Bailifs of the places (where ſuch aduẽture ſhall happẽ) to cauſe to come before him at a certain day at the place (wher ſuch chaũce befel) foure of the next townſhips and other if nẽd be, by whõe he ſhall inquire ỹ verety and ſhall cõpel the townſhipꝫ to ſwere vpon the Saints to ſhew the trueth of thoſe articles ỹ he ſhal demaũd of them. Then

ſhall

ſhall the Cozoner and the Jurours vew the body, the wounds, and the ſtrokes, and immediatly after ſuch vew had, the body ſhalbe buryed. And if the Cozoner finde the body buried befoze his cõming: he ſhall recozde the ſame, neuertheleſſe he ſhall not omit to dig vp the body, and make it to be vewed opẽly of the towns. And thoſe Jurours, which haue bẽn ſommoned and come not to ẏ inquiries of Cozoners ſhalbe amerced at the cõming of the Juſticers at the firſt aſſiſſes in thoſe coũties ſo ẏ ſuch defaultz be entred in the Cozoners role ſo ẏ the Cozoner ſhal haue no powꝛer to amercy no man foꝛ any default. And whẽ the inqueſt is ſwoꝛne, the Cozoner muſt inquire if ẏ perſon were ſlain by felony oꝛ by miſaduenture, and whether ẏ felony were don wĩn a houſe oꝛ without, & all the circumſtaunce. And after it ſhalbe inquired who were pꝛeſẽt at ẏ dẽd & who be culpable of ẏ ſaid foꝛce commaundement, concent, oꝛ receit of ſuch felonies wittingly. And if ẏ cozoner haue any ſuſpẽtiõ of ẏ firſt inqueſt foꝛ cõ ſealmẽt of ẏ trouth, oꝛ if it be nẽdful to inquire better by other, thẽ ſhall he inquire diuers times, and all ſuch as therof ſhall

hap tobe indited, ỳ Shirif shall take in al the haste if they may be found, & if not the cozoner shall inquire who they be, & who hath w̃ drawen them selues foz ỳ occasiõ and ỳ shirif shall forthw̃, cause their lãdz tobe seeased, & afterwards all their goods and cause thẽ tobe prised by lawful inquest, & the goods with the prices shalbe inrolled in ỳ cozoners role, & shalbe deliuered to the township foz tobe answerable therfoze vnto ỳ king, in case the partie so indited flee, & wil not stand to right.

And after they shall inquire if he ỳ is indited did euer finde suretie to keep the kings peace, & the names of his mainpernours which he shall enter into his role. And if the plaintif wil sue appeal within the yeer & the day, then shall he finde two sufficient pledges to the Shirif of ỳ countie distrainable within ỳ same to sue his appeal according to the law of the land. And then shall the Cozoner cause the appeale tobe entred, with ỳ names of the pledges, & after it shalbe cõmaũded vnto the Sergeant of the coũty where such felony is don (which as me seemeth is the Shirif oz his baylif errant) that he haue the body at the next county. And if the

Sergeant

Sergeant return at ỹ second county that he cannot finde them, thẽ shal it be awarded ỹ the prinipall bæing appealed of the dæd shalbe solemly called to stand right touching the same felony, & so shallbe called from county to county vntil they cõe or be outlawed, and if the plaintif make default at any countye then shall the erigent passe vntil the cõming of the Justicers of the Kings bench or the Justicers in Eire in ỹ countie. And if the principall be outlawed ỹ erigents shall go forth immediatly against accessaryes. And when they shalbe outlawed, withdrawẽ or suspected, the Cozoner shal inquire at whose finding such a fugitiue hath bæn, & according vnto the verdit he shal inrole it, and thẽ inquire of the landz & goods of ỹ fugitiue. And if they appær before outlary: they shalbe repleuiable. And if the felony were don out of a house: ỹ Cozoner shall inquire who found ỹ body first, & he shalbe takẽ & let go vnder sureties. And that no Jurour be remoued by chalẽge of any partie. Neither shall any Cozoner take any thing by him selfe or by other, nor suffer tobe takẽ by his Clark for doing his office. And if it be found ỹ any is dead by misaduenture

misaduenture, then shall it be inquired what misaduenture, as if it be foūd that he fel from a mil it shalbe inquired what things were thē mouing there and how much they be worth, & so if he fel out of a Cart, and if one fal out of a Ship, nothing shalbe iudged the cause of his death but the ship, & the things that moue therin, and not the marchandise lying therin.

And the Cozoners ought to receiue the confession of felons made by prouers in presence of ỹ Shirif who shalbe his controulour in all his office, and such confession, he shall cause tobe inrolled, & when any person fleeth to a Church, so soon as the Cozoner shall haue knowledge therof, he shall send to the Baylif of the place, that he shall cause to come before him by a certain day the neighbours, and foure of the next townships adioyning to the Church and in their presence shall receiue ỹ confession of the felon. And if ỹ fugitiue pray to abiure the Realme: ỹ Cozoner shal do that the which to his office belongeth.

Also he shall inquire of rape, and all the circumstance, the appeales whereof with all other appeales of robbery, felony and such like, he shall cause to be entred

in

in his role.

Also they shal inquire of treasure foũden of wzecks of the Sea & of Sturgiõs, and of Whales taken, & who were takers, whose names they shal inrole & let them go by mainpzise. And such things as shal happen tobe foũden they shall safely kẽp to the kings vse. And the Shirifs, & baylifs shalbe alwaies attendant vpon thẽ, and at their commaundements.

It is ozdeined that throughout all the Coũties of England there be chosen sufficient Cozoners of the moste sage & lawful knights that may best to the same office intend, which lawfully shall attache and pzesent peals of Cozon as wel of appeales as of things to the same office belonging. And that no Cozoner demaund oz take any thing foz dwing his office, vpon pain of a greuous fozfaiture to ỹ king. 1. West. cap. xy. But now by the Statute made Anno. 1. Hen. viij. cap i. the Cozoner shall haue. xiij. s. iiij. d. of ỹ gwdz of ỹ murderer, & if the murder be cõmitted in the day time, & the murderer escape ỹ Cozoner shall haue xiij. s. iiij. d. foz ỹ escape vpon ỹ township. Also it appereth by a Statute made in the xiij. yeere of E. the first

which

which is called ye statute of Excester, vnder what order inquisitiō shalbe made of the defaults of Coroners be they aliue or dead, where he shall see the charge ye shal be giuen to the inquests ye shalbe charged to inquire of Coroners, in which charge it appeereth further what the Coroner ought to doo by his office, whiche charge heer insueth.

¶ The fourme of the charge to inquire of the defaults of the Coroners according to the Statute of Excester.

First they shall inquire if the Coroner go in proper person to doo his office or not, wherby it appeereth that he cannot make a deputye.

2 Also if he haue sent any other to doo his office, what he was, and how often, and about what aduentures.

3. Also if he came at euery time of his owne good wil without delay, or that he or his Clark haue takē any thing for the more speedy executing of their office. 4. Also if he tary or delay to ye entēt to haue any reward after ye he hath knowledge of the truth & after ye he is sēt vnto, how oftē, & in what place, & vnder what manre.

5. Also if the goods of felons taken by him

him be deliuered to the towns to kéep by a lawful inquest as they ought to be & inrolled in his recozde oz not.
6. Also if the Cozoner take any thing of any person foz to take a false inquest foz to distroy the right of any oz to praise the goods foz lesse then they be wozth.
7. Also if he enter any thing in his roles otherwise thē it was giuen by ẏ inquest and what thing he oz his clark took therfoze, & how often, and foz what thing he oz his Clark took such thing. 8 Also if he oz his Clark took of the goods that were praised and prised them at lesse thē they entred them in their rolles. 9. Also if the prises were not assessed by the inquest.
10. Also if ẏ township were falsly charged and of what thing. 11. Also if any appeales were falsly inrolled oz imbeseled out of ẏ rolles after that they were entred. 12. Also if he refuse to take any plaint of appeales foz pouerty, hate oz other like cause, & what he took foz that occasion, & of whom and how much. 13. Also if he oz his Clark haue taken ought of goods of the partie that is dead vpō whose body he took vew what thing it was, and how often he so did. 14. Also if he haue entred all the attachments

tachments belonging to his office in due maner, or if he haue made any attachmēt for to gréeue any person or to haue of his owne, & enter it into his role. 15. Also if he haue not doon his office at all times at his owne costs without taking ought therfore. 16. Also if he haue conseled ought in any Coūtie or procured tobe murdred, to the gréeuaunce of any persō and if he so did then to inquire how often and for what rewarde, and for whōe, and in what case he so did. 17. Also all the attachments, hanging, and lawfullye receiued be pursued by him as he ought to doo for the king or for the partye, or cause to be pursued.

18. Also if the goods of such as haue fled the towns where they dwel for suspectiō of felony, were attached by him & praised by inquest, and inrolled according thervnto, & deliuered vnto the towns where those goods were founden to kéep safly vntil the comming of the Justicers in Eire.

19. Also if he suffer appeales or other plaint? to him made to be cōueied away imbeseled or rased out of the roles, & if he take ought for such falshed, of whome, how much, and how many times.

Also

20. Also if there were any treasure found in the time of the said Cozoner in what, and what maner of treasure, and how much, and in whose hands it resteth, and by whose diliueraunce.

This is ỹ whole charge that Justicers in Eire must gine foz inquiry of Cozoners & of their defaults. Furthermoze Justicers in Eire may impanel other inquests of xxiiij. persons of the body of the countie to inquire of the concelement of the first inquests whiche did inquire of the defaults of the Cozoners.

When Cozoners haue any knowledge from the Kings Bailifs oz other honest men of the contrey foz to go vnto such as be slain oz sudenly dead, oz wounded, oz breakers of houses, oz to any place where treasure is said tobe found they must go forthwith, & commaund four, fiue oz sixe, of the next townships, that they be afoze them at such a day and place, and when they shall come, then the Cozoner must make inquiry therof in fozme folowing.

First if the person were slain in house oz in the fæld, in bed oz at the tauerne. &c & who be gilty therof, either of ỹ deed oz consẽt, &c. And if any be in ỹ court which

were there, so ỹ they can speak or haue any discretion, & they that be founden giltie by inquest shalbe taken and deliuered to the Shirif. And such as were present, and be not gilty shalbe attached vntil the comming of the Justicers & their names shalbe written in the Cozoners role.

If any be sudainly slain in fields or the woods, it is first tobe seen whether he were slain there or not, and if he wer not slain there, then as nèer as they can they shall folow the steps of him that brought the body thither with horse or carts if it be possible in case ỹ murderer be knowē, and if he be a straūger: then shall they inquire wher he was lodged ỹ night before And touching such as shalbe foūden gilty the cozoner shall go immediatly to their houses & inquire what goods & lands they haue & how much they be worth by the yèer. But by the statute of King Richard the iij. it is ordained that the lands and goods of such persons shall not be seased vntil they be attainted or otherwise conuict by course of the law. And these things thus bèing inquired: the bodyes shall be buryed incontinent.

Moreouer they must inquire of such as

be

be drowned or dead suddenly, and whether they were drowned, or strangled or slain, and they must enquire who were the finders, that they may be attached, also they must vew the lēgth, breadth, and dēpnes of all wounds, and must inquire with what weapons and in what place of ỹ body. And if the woūd be mortal: the offendour shalbe kept vntil it be knowen whether the partie may be whole. And if ỹ woūd be great then he shalbe let go, vnder foure, or six pledges, & if it be but little thē ỹ. pledges shall suffice. Also they must inquire of horse, cartes, and other things wherby any was slain, that they may be praised, and deliuered. vt s.

Also they shall inquire of wreck of the Sea, and if any lay hand vpon it, he shalbe attached by good pledges, & the wreck shalbe prised and diliuered to the next townships. Further more hue and cry shalbe leuied vpon all manslaughters, burglaryes, as whē any is slain or in peril of death if it may be. And all shall followe such hue and cry if they be able, and they that do not, shalbe attached to appeer before the Justicers. &c.

Also if any person flee vnto the Church

or other halowed place, for murder, felony or such like offence, the Cozoner vpon knowledge therof shall come thither and take his confession, and if he wil abiure the Realme, ỳ Cozoner shal receiue his abiuratiõ, which he shall say in this forme.

¶The forme of abiuration.

HEar you this Sir Cozoner ỳ I.A. B. am a thef of one horse or other like thing, or a manslear of one man or mo, and a felon of our Souerain lord king Henry the viij. And forasmuch as I haue committed many euil deeds, and felonyes in this Realme, I heer abiure his land for euer, and shall make as much hast as I can to ỳ haue of D. which you haue assigned me, & I shal not depart out of the high way, & if I do: I wil that I be taken as a thef and felõ of the king. And further I shall diligẽtly seek my passage at the place aboue limitted, & I shal not abide there any longer thẽ one eb and one floud if I may haue passage. And if I can haue no passage in so much space, I shall go euery day into the Sea, vp to my knees and assay if I can get ouer. And if I cãnot so do within xl. dayes continuing

I

I shall yéeld my self again to the Church as the kingꝭ thæf and felon. So help me God and holydome.

Neuertheleſſe it ſéemeth that when any perſon ſhall abiure, him behoueth to ſhew ẏ place the day and yéere, & in what coũty he did the felony oꝛ murder, which cõfeſſion ſhalbe as an inditemẽt in effect, notwithſtanding if he doo it not but only as beforꝛe is expꝛeſſed it is good inough, be cauſe he is attainted beforꝛe by his abiuration. Yoꝛw beit this maner of abiuratiõ is put out of the ſtatute of Henry th'eight made the xy. yéer of his reigu, wherby it is oꝛdained that ſuch as wil abiure ſhall make their abiuratiõ frõ al their libertie vnto ſome Sãctuary within this realme there to remain during their liues, and ſhalbe burned in ẏ right hand wt̃ this letter. A. And if ſuch perſon afterwarde be takẽ out of Sanctuary he ſhalbe oꝛdꝛed in like maner as one ẏ had been abiured the realme beforꝛe ẏ ſaid ſtatute. And ẏ ſame perſon ẏ ſo taketh the Church ſhall make his abiuration, and ſhall take his paſſage from thence at ſuch a day & time as the Cozoner ſhall appoint, & ſhalbe marked vpõ the bꝛawn of his thumb on the right

hand with a burning Iron, & shalbe conueied to the Sanctuary, wherunto he is abiured by ỹ Mayors, Bailifs & Constables in such sashiõ as they haue been whi che hærtofore had abiured ỹ realme. And if any felõ refuse to abiure before ỹ Coroner he shalbe taken out of the Sãctuary, and shall læse ỹ priuiledge therof. And that is by the Statute. xxij. H. viij. cap. ij.

Also it is ordained that none shalbe chosen Coroner, if he haue not land sufficiẽt within ỹ same countie for to answer all persons. An. iiij. Ed. iij. cap. ij.

And it is further ordained that all Coroners shalbe chosen in the ful county by the commons of the saide Countie of the moste conuenient and able persons. An. xxviij. Ed. iij. cap. vj.

The Coroner shall inquire vpon the vew of ỹ body if he were slain by day, if the murderer be taken. And if ỹ murderer escape, ỹ township tobe amerced. And the Coroner shall inquire of that escape whẽ he inquireth of the death vpon vew of ỹ body. And the Coroner shall haue for his fee. xij. s. iij. d. of the goods of the murderer. And if he haue no goods then to haue his fee of such amerciamẽt as shalbe set

set vpon the township foz the escape. And after the murderer found: the Cozoner shall certify his inquisition afoze the Justicers of the next generall Jail deliuery in that same countie. And if the Cozoner be remisse & make his inquisitiō vpō the view of the body, & certifie not accozding as is afozesaid: then the Cozoner foz euery default to forfait one hundzed. s. An iij. Hen. vij. cap. i.

It is ozdained that vpon request of the Cozoner to come and inquire of any person dzowned oz slain by misaduenture: the Cozoner shall diligently dw his office without taking any thing therfoze, vpon pain of euery Cozoner that wil not indeuer him to dw his office, oz ỹ taketh any thing foz doing his office vpon any person dead by misaduenture. fozty shillings An. j. Hen. viij. cap. vj.

In case of mans death within ỹ vierge it shalbe cōmaunded to ỹ Cozoner of that contrey that he togither with the Cozoner of the kings house, dw make ỹ inquiry and inrole it. And that which cannot be determined befoze ỹ steward because the felōs be not attached oz foz other like cause: shall remain at the common law

so that the exigents, vtlagaryes, and presentments therof to be made in Eire by the Coroner of the Contrey, as of other felonyes don out of the vierge. Articles vpon the Charters. cap. y.

No Coroner, Shirif nor other officer shal take ought for his office, & if he do: he shal restore twise so much. West. j. cap. xxviij But the statute of H. vj. giueth to the Coroner a mark for euery murder.

Also it was said by the Justicers M. vj R. y. that ỹ Coroner hath no power to inquire of a mãs death, but only vpon vew of the body, & if he do it is frustrate and void. And if one Coroner enquire vpon the vew of the body, and after another coroner wil come and inquire therof again the second inquiry is void, for the first inquiry is onely of record.

If one become a prouour before the Coroner he shall not afterwarde be admitted to say that he did cõmit the act by dureffe of imprisonment: for the record of the Coroner shal estop him to plead that.

If any wil sue appeal of robery of larcency, he must come into the ful Countie within the yér & the day after ỹ felony don, and must finde two pledges for to

folowe

folow his sute, and the cozoner shal enter his appeal immediatly in his role, & the names of the pledges. And then shall it be cõmaunded to the Bailifs of the place where. &c. that he haue the body at ẏ nert county. And if he return at the second coũty non est inuentus: then shal the appeal be called from coũty to county vntil he be outlawed, and if the plaintif make default at any county thẽ shall ẏ exigẽt cese vntil the Eire of the Justicers in ẏ same countie, and the plaintif shall lese his action after appearance foz euer, wherby it appereth that after the yeer & day a man shall not haue appeal of felõy. And to this point agreeth Bzeton in his first book.

The Cozoner must recozde his vew, abturation, appeales & accusatiõs of theues made befoze him, and so must he dw of al things that belong vnto his office to be don, and the nonsutes of plaintifs inappeals he must recozd, withall things don in the countie which belong vnto his office. Also ye shall note that appeals shalbe made in the court of any Lozd that hath franchise of infangthef in pzesence of the Cozoner. &c.

A pzesentment was sẽt into the kings bench

bench by a Coroner comprising how a certain person taken for felony was conueyed vnto ỹ Church by certain Fryers. &c, And because the Coroner had no power to take such an inditemēt: a writ was directed to the same Coroner to certifye whether he had any other presētment or not. An. xxbij. E iij. libro assisarum.

An aduenture of ỹ death of a man was presented before ỹ Iusticers in Eire, and because ỹ same was not foūd in ỹ Coroners role: ỹ Coroner was awarded to prisō. The Coroners fee in Eire is to haue. j. d. of enery venue when they shall come.

Note that a presentment made before Iusticers in Eire of a thing which is contrary to that that is entred in the Coroners role shalbe takē void, and the Coroners role shalbe taken for the record.

The Coroner shall inquire of the death of men slain or drowned in the armes or creeks of the Sea, where the land may be seen of either side.

But now by the statue made An. xiij. R. ij. cap. v. and confirmed. An. v. Hen. iiij cap. xj. the Admirall hath no iurisdiction but onely vpon ỹ hie Sea, wherby it appeareth ỹ the Coroner hath iurisdiction there

there to inquire of mens death.

A Coroner may take an appeal of felony made by an approuour in any coũty of Englãd and so may he do of an abiuratiõ in case that he cõfesse the felony tobe doon in any other coũtie. And the coroner may abiure him as wel vpon that as if ỹ felony had bẽn doon within the same coũty. But he cannot take any appeal of robbery or felony, vnlesse it be within the same county where the robbery or felony was committed, & wher he is Coroner, for by the confession or appeachment he is attainted, & so he is not in the other cause.

One that becommeth a prouour, before Justicers shall not haue a Coroner except he wil confesse the felony before thẽ, and pray a Coroner. T. xxbj. Ed. iij.

And if one become a proucur, & appeal other of diuers felonyes doon in other coũties, in this case the Coroner shall not make procesle thervpon into any forain countie, but he shall enter it in his role, and shall send ỹ same presentmẽt before the Justicers of Jail deliuiry, & the Justicers of Jail deliuery shall awarde proces to the Shirif of the forain countie, for to take him that is so appealed.

Thus

Thus ye must vnderstand that if any Shirifs, baylifs, Eschetors, Cōstables, or Coroners take ought for doing their offices otherwise then to thē is limitted by the statutes before declared: that thē such takīg is extortiō, which is punishable at the kings pleasure as appeereth before, & in ye statute made. j. H. iiij. cap. xi. Wher by it appeereth that Shirifs & other ministers, Baylifs & their ministers, Escheators and their ministers, Coroners and their ministers are boūd to serue all precepts to them directed from ye Justicers of peace wout taking ought of any partie. And if a precept be directed to ye Shirif or any other the kings officer, to compel any to appeer before the Justicrs to finde surety of peace, if the part against whom any such precepts is directed be redy to come before ye said Justicers to finde suretye of peace they shall take nothing of him.

And in like maner must they serue all processes ye come to them, directed out of the Kings bench, the common place, the Escheker or ye Chaūcery without taking ought therfore, but only the fees expressed in the statuts before writen. And if they take any other fees it is plain extortion.

¶A

## ¶ A brief declaration concerning the extortions of Ordinaris, Parsons, Vicars and Curats.

AS concerning Ordinaryes, ye shall vnderstand that it is ordained by a Statute made in the xxj. yer of King Henry the eigth, that no Ordinary shall take any thing for the probate of the testament of such a person, whose goods amount not above the sum of a hundreth shillings, except to the scribe. vj. d. onely. And of goods above the value of a. C. s vnto xl. pound, iij. s. vj. d. And the Scribe to haue. xij. d. of the sum. And for the probate of a Testament of goods above ỹ value of xl. l. v. s. wherof the Scribe to haue ij. s. vi. d. or for euery line beeing x. inches in length one peny. And such summes for letters of administration, where such persons dye intestate and the Testament tobe regestred and deliuered to the partie without delay, and letters of administratiõ to be graunted to the wife or next of the blood of the partie deceassed or to bothe. And for the probate of a Testament or letter of administration of goods vnder the sum of a hundreth shillings, the Ordinarye shall

shall take nothing. Moreouerer it is the office of the Ordinary to deface the seale of the testatour (wherwith the testamēt was sealed) and to deliuer it again to the partie. And if the Ordinary take any more then afore is limitted he shall forfait so much as he taketh and ten pound more besides that, wherof the moitie shal be to the partie grœued.

If the Ordinary scite any person to appær in the Spirituall Court to depose in any matter there as a witnesse: that is extortion and wrong to the partie.

If any Ordinary, Persō or Vicar take any mortuary after the death of any person which had not goods to the value of.x. Marks that is extortion. And likewise it is wher they take a mortuary in such places were it hath not bēn accustomed to pay mortuaries. And euen so it is where a Person or Vicar taketh more thē iij.s. iiij.d. in the name of a mortuary, if the goods amoūt aboue.x. marks, and vnder the value of.xxx.li. for that is extortion. Also if he take more then. vj.s. viij.d. for a mortuary where the goods be aboue the value of xxx.li. and vnder the sūme of. xl. pound the dets paid that is extorcion.

And

And if they take of them whose goods a mount to.xl.l. aboue, the dets paid more thē.x.s. for a mortuary: that is extortion. And if they take any mortuary for a woman married or one ý is within age, or for a man that kéepeth no house, it is extortion. And if any mortuary be taken in Wales it is extortion, except Bishops that shal take mortuaries there of prests and Curats, and the Archdeacon of Chester shall take mortuaryes of Prests within the countie of Chester.

And whosoeuer taketh for a mortuary more then he ought, shall forfait asmuch in value as he taketh, and .xl. s. besides that to the partie gréeued. Anno.xvj. Henrici.viij.capitulo.vj. And thus haue I thought sufficient to declare vn to you concerning extortions in Ordinaries, Parsons, Vicars and Curats.

*Finis.*

Imprinted at London / by John Allde.
1573.